

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

IN RE: SMITH & NEPHEW
BIRMINGHAM HIP RESURFACING
(BHR) HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

MDL No. 2775

Master Docket No. 1:17-md-2775

JUDGE CATHERINE C. BLAKE

THIS DOCUMENT RELATES TO:

Mosca v. Smith & Nephew, Inc.
No. 1:18-cv-03520

THE PARTIES' PROPOSED RULE 106 PRETRIAL ORDER

Plaintiff Phyliss Mosca and Defendant Smith & Nephew, Inc. ("Smith & Nephew") respectfully submit this proposed Pretrial Order pursuant to Local Rule 106.

- a. A brief statement of facts that plaintiff proposes to prove in support of plaintiff's claims, together with a listing of the separate legal theories relied upon in support of each claim.**

Plaintiff Phyliss Mosca is prepared to prove that Defendant Smith & Nephew misrepresented to her surgeon the magnitude of the risk of revision of the BHR in its voluntary communications, training, and advertising, and failed to make disclosures that would warn Plaintiff's surgeon about the higher revision risk known to Smith & Nephew associated with use of the BHR in patients like Ms. Mosca. Plaintiff is prepared to prove that Defendant Smith & Nephew's breach of duties under a theory of negligent misrepresentation caused her injuries.

- i. Smith & Nephew made the following voluntary, non-FDA approved representations to Dr. Boucher at his training, through medical education conferences he attended, and through written materials mailed to him that he actually read.**

The following false or misleading representations caused Plaintiff's injury:

- 1) The BHR's revision rate was 1-3% for women like Ms. Mosca.
- 2) The BHR had excellent results for patients like Ms. Mosca as demonstrated by the Australian Registry results and other clinical studies.
- 3) The BHR had exceptional clinical performance and outstanding long-term results in patients like Ms. Mosca.
- 4) The BHR had exceptional results for patients like Ms. Mosca, and the Australian Registry data showed outstanding survivorship for the BHR in patients like Ms. Mosca.
- 5) There was only a smaller increased risk of revision in women, which was explained by the risk of early fracture. This risk to women could be reduced through a surgeon's experience and technique.
- 6) Smith & Nephew would update Dr. Boucher on additional information it learned about the higher risk of revision to women from causes other than fracture.
- 7) BHR is not the same as other metal on metal devices (including both metal-on-metal resurfacing devices and traditional metal-on-metal total hip arthroplasty devices).
- 8) The BHR's revision rate was lower than other metal-on-metal devices (including both metal-on-metal resurfacing devices and traditional metal-on-metal total hip arthroplasty devices) because of the BHR's design, including the metal it used and the clearance rates between the two metal pieces.
- 9) The BHR produced less metal wear and metal ions than other metal-on-metal devices (including both metal-on-metal resurfacing devices and traditional metal-on-metal total hip arthroplasty devices) because of the BHR's design, including the metal it used and the clearance rates between the two metal pieces.
- 10) Any metal wear from the BHR was caused by poor implant positioning, which could be overcome by surgeon experience and technical skill.
- 11) While a total hip revision device was not commercially available, Smith & Nephew would provide Dr. Boucher could perform a "bailout" to a total hip intraoperatively if he believed it was warranted.

- 12) A revision of a BHR to a total hip would be easier than revision a total hip to another total hip. (Patient's Guide).
- 13) The BHR was "wear resistant" and bone conserving.

These misrepresentations were made through a pattern of voluntary communications at Dr. Boucher's training, voluntary written communications including each and every document listed in the Defense Fact Sheet as having been sent to Dr. Boucher or potentially sent to Dr. Boucher, including but not limited to, SN_BHR_MDL_76422-24, SN_BHR_MDL_76710, SN_BHR_MDL_949182-185; SN_BHR_MDL_1675901-04; SN_BHR_MDL_31158, SN_BHR_MDL_31242; and SN_BHR_MDL_19343, SN_BHR_MDL_385480, SN_BHR_MDL_858424, as well as the letter email to Dr. Boucher attached as Exhibit 5 to Dr. Boucher's deposition. Further, these misrepresentations were made during presentations given at medical education events attended by Dr. Boucher as listed in the Defense Fact Sheet, including, but not limited to, SN_BHR_MDL_78172 and SN_BHR_MDL_78137. These misrepresentations were also made through sales representatives sharing information with Dr. Boucher through voluntary written materials provided by Smith & Nephew, including, but not limited to, SN_BHR_MDL_172365, SN_BHR_MDL_628936, SN_BHR_MDL_628940.

b. A brief statement of facts that defendant proposes to prove or rely upon as a defense thereto, together with a listing of the separate legal theories relied upon in support of each affirmative defense.

Defendant Smith & Nephew submits that the claims of Plaintiff Phyliss Mosca lack merit for the reasons set forth in Smith & Nephew's Motion for Summary Judgment, which the Court granted in part, *see* Memorandum [D.E. 2905] (July 19, 2021) ("*Mosca* SJ

Mem.”), and in its renewed Motion for Summary Judgment, which the Court granted, *see* Memorandum [D.E. 3206] (Oct. 27, 2021) (“*Mosca* Renewed SJ Mem.”). The facts Smith & Nephew will prove at trial will depend, in part, upon (i) a number of the motions *in limine* upon which the Court has reserved ruling, (ii) further resolution of Smith & Nephew’s Motion to Exclude Professor Stephen Graves and Motion for Reconsideration regarding the testimony of Professor Stephen Graves at deposition or trial as a fact witness, and (iii) any future motions practice relating to issues presented at trial.

As discussed at the October 20, 2021 hearing and the November 10, 2021 status conference, Smith & Nephew objects to Plaintiff’s listing of alleged misrepresentations above as inadequate because, among other things, Plaintiff fails to identify specifically (i) which documents were provided to Dr. Boucher that contain alleged misrepresentations, and (ii) which statements therein are alleged to be misrepresentations. It is insufficient to identify a set of alleged misrepresentations untethered to a specific document, followed by a series of Bates numbers and references to all other documents in the Defense Fact Sheet and unidentified surgeon training events attended by Dr. Boucher. In the case of the training events in particular, Plaintiff should specifically identify (i) what statements, (ii) made in what presentations, (iii) are alleged to be misrepresentations, (iv) who made them, and (v) the Bates number reference to the page(s) containing those misrepresentations. *See* Hr’g Tr. (Oct. 20, 2021) at 6-7. Plaintiff’s failure to identify the alleged misrepresentations on which she relies results in unfair prejudice to Smith & Nephew in the preparation of its defenses. Further, Smith & Nephew’s position is that Maryland law does not permit recovery for negligent misrepresentation in this case unless Plaintiff can show there were

affirmative, false statements of material fact. Smith & Nephew is entitled to know, in advance of trial, specifically what false statements of material fact are claimed to have been made to Dr. Boucher in this case. Smith & Nephew again raised this subject at the November 10, 2021 status conference and has since submitted an excerpted version of Plaintiff's proposed Pretrial Order inserts related to the alleged misrepresentations (Section a, i, above) with embedded hyperlinks to the Bates-labeled document references to allow the Court to further consider the issue.

With these caveats, Smith & Nephew provides this general outline of the facts it expects to prove or rely upon at trial.

Ms. Mosca was appropriately and adequately informed by her physician Dr. Boucher about the risks and benefits associated with the BHR. The implant took place on May 17, 2010, when Ms. Mosca was 44 years old. She chose resurfacing because she concluded that it was the best choice for a young and active person. Ms. Mosca was aware at the time of her surgery of the risks of metal-on-metal bearings, including the risk of metal ion release. Ms. Mosca does not recall seeing any Smith & Nephew advertising, marketing or brochures prior to her surgery. Dr. Boucher testified that he does not make treatment recommendations based upon advertisements that he sees in journals.

Ms. Mosca recovered well from her implant surgery and soon returned to her active lifestyle. She had no complaints concerning her hip for nearly 6 years, when she returned to Dr. Boucher in April 2016. Dr. Boucher confirmed that the BHR implant remained well fixed and aligned without signs of loosening, lysis, or fracture. On February 20, 2018,

about 7 years and nine months after the implant surgery, Dr. Boucher performed a revision surgery on Ms. Mosca, and replaced her BHR with a total hip replacement.

Ms. Mosca recovered well from the revision surgery, and, as of January 2021, was experiencing no pain or problems with her hip. Smith & Nephew moved in limine, *see Mosca-Specific Motion In Limine* No. 4 [D.E. 2544], for a ruling that Ms. Mosca may not introduce testimony regarding various medical problems and physical ailments, as well as anxiety (prior to April 2016), that she claims to have experienced while she had the BHR (and which supposedly resolved after it was removed) because Plaintiff has no evidence to support medical causation. Ms. Mosca indicated in response that she may try to introduce evidence that suggests a temporal relationship between her complaints and her BHR, to which Smith & Nephew objects. The Court reserved ruling on this motion, and noted that objections may be raised at trial. Memorandum [D.E. 3012] (Sept. 1, 2021) at 4. To the extent Ms. Mosca is permitted to introduce evidence relating to these complaints, Smith & Nephew reserves the right to respond, including the use of deposition excerpts and/or live testimony of her various treating physicians and other fact and documentary evidence.¹

Smith & Nephew also will show that Ms. Mosca did not rely upon any alleged representations by Smith & Nephew. Likewise, Dr. Boucher did not actually or justifiably (or reasonably) rely on any alleged false representations by Smith & Nephew. Smith &

¹ Smith & Nephew notes that the Court's reservation of a definitive ruling on the admissibility of this evidence in advance of trial requires Smith & Nephew to issue trial subpoenas to the various treating physicians who are within the Court's jurisdiction. Smith & Nephew reserves the right to seek leave to use deposition excerpts if any of these witnesses becomes unavailable within the meaning of Federal Rule of Civil Procedure 32.

Nephew will further show that its marketing, advertising and promotional materials, which were not seen or relied upon by Ms. Mosca or her surgeon, were true and not misrepresentations.

In addition, Smith & Nephew intends to introduce FDA-related evidence, including that the BHR was granted premarket approval by FDA, that the labeling for the BHR was approved by FDA, and that FDA considers the labeling, including the Instructions for Use (“IFU”), to be the primary means of communicating safety and effectiveness information about medical devices such as the BHR to doctors. Further, as this Court has ruled, Smith & Nephew had no duty under federal law to provide any additional information to patients, including Ms. Mosca, or the medical community, including Dr. Boucher. Smith & Nephew will further show that the ad hoc reports that it received from the Australian Registry (the last one received 7 months before Ms. Mosca’s implant surgery), conveyed essentially the same information as both: (1) publicly available data from the Australian Registry; and (2) other data available to the medical community from a variety of sources, including the peer-reviewed literature.

Further, if Plaintiff’s request for punitive damages is permitted to go to the jury (and it should not because, among other things, Maryland does not allow punitive damages on a negligent misrepresentation claim), Smith & Nephew will show that Smith & Nephew’s conduct was not characterized “by evil motive, intent to injure, ill will, or fraud, i.e., ‘actual malice.’” *See Mosca* SJ Mem. [D.E. 2905] at 26-27 (deferring ruling on punitive damages).

In addition, Smith & Nephew’s affirmative defenses are set forth in its Opposition to Plaintiff’s Motion for Summary Judgment. *See* [D.E. 2594] (Mar. 26, 2021) at 18-33

(Mar. 26, 2021). Those affirmative defenses include that (i) Ms. Mosca assumed the risks under Maryland law associated with the BHR when she agreed to the implant surgery after being warned of the risks associated with the surgery and with the BHR, including the risk of revision, *id.* at 19-21, (ii) Dr. Boucher received informed consent from Ms. Mosca by alerting her to the risks associated with the BHR prior to her implant surgery, *id.* at 24-25, and (iii) Ms. Mosca's alleged injuries resulted from the operation of nature over which Smith & Nephew had no control, *id.* at 25-26.²

c. Similar statements as to any counterclaim, crossclaim, or third-party claim.

There are no counterclaims, crossclaims, or third-party claims filed in this matter.

d. Any amendments required of the pleadings.

There are no known amendments required of the pleadings at this time. Both parties wish to reserve the right to bring a motion to conform the pleadings to the evidence received at trial, to the extent that may be required.

e. Any issue in the pleadings that is to be abandoned.

Plaintiff states that there are no issues in the pleadings that are to be abandoned.

Smith & Nephew states that it is not asserting certain affirmative defenses contained in its Answer to the Master Amended Consolidated Complaint, as discussed in its Opposition to Plaintiff's Motion for Summary Judgment [D.E. 2594] and as reflected in the Court's summary judgment memorandum, *Mosca* SJ Mem. [D.E. 2905] at 27 & n.6.

² The Court ruled that these affirmative defenses involve "issues of disputed facts," and therefore "[a] decision on Smith & Nephew's ability to present those defenses will be deferred." *Mosca* SJ Mem. [D.E. 2905] at 31. The Court also deferred ruling on Smith & Nephew's affirmative defenses related to compensatory and punitive damages. *Id.* at 30.

Smith & Nephew's affirmative defenses relating to dismissed claims are not abandoned, but will not be asserted at trial.³

f. Stipulations of fact or, if the parties are unable to agree, requested stipulations of fact.

The parties have been unable to agree upon stipulations of fact for this case.

g. The details of the damages claimed or any other relief sought as of the date of the pretrial conference.

Plaintiff's Statement. Plaintiff has asserted claims for compensatory and punitive damages in amounts to be determined by the trier of fact. Plaintiff produced documents demonstrating at least \$14,305.95 in medical expenses were incurred by Ms. Mosca. Plaintiff has suffered significant economic and noneconomic past, present and future damages as a result of the Birmingham hip resurfacing device. Plaintiff was forced to undergo an earlier than expected revision and conversion from resurfacing to a total hip replacement. At just fifty-three years old, she underwent two invasive hip procedures. Plaintiff continues to experience some limitations as a result of her injuries and will continue to experience these limitations in the future. More likely than not, Plaintiff will require an additional hip replacement in her lifetime.

³ A number of Plaintiff's claims, and portions thereof, have been dismissed. *See* Memorandum on Smith & Nephew's Motion to Dismiss [D.E. 608] (Mar. 26, 2018) (dismissing multiples claims and legal theories within claims); *Mosca* SJ Mem. [D.E. 2905] at 31 (granting summary judgment on breach of warranty, negligent training, negligent failure to warn, and negligence claims based on a failure to report adverse events to the FDA, a failure to adequately train surgeons, or a violation of Md. Code. Ann., Health-Gen. § 21-217(b)); Memorandum [D.E. 3206] at 1 (granting summary judgment on Ms. Mosca's negligence per se claim).

Smith & Nephew's Response. First, Smith & Nephew disputes that any claimed expenses are supported by the evidence or compensable, and that Plaintiff has any "present" or future" injuries. Indeed, Smith & Nephew submits that Plaintiff cannot prove any damages as alleged, that Plaintiff has sustained no damages since Ms. Mosca more likely than not would have had a revision surgery at some point whether she had the BHR implanted or another hip implant. Second, Smith & Nephew denies that it is liable for any compensatory or punitive damages in this lawsuit. Third, Plaintiff has presented no expert testimony or other evidence that it is more likely than not that Ms. Mosca "will require an additional hip replacement in her lifetime," nor has she previously identified this as an element of damages, which would require the submission of expert testimony. Accordingly, this theory of damages should not be permitted at trial. Finally, Smith & Nephew underscores that the Maryland cap on noneconomic damages applies to this action for damages for personal injury. *See* Md. Cts. & Jud. Proc. § 11-108(b)(2).

- h. A listing of each document or other exhibit, including summaries of other evidence, other than those expected to be used solely for impeachment, separately identifying those which each party expects to offer and those which each party may offer if the need arises. The listing shall indicate which exhibits the parties agree may be offered in evidence without the usual authentication. This requirement may be met by attaching an exhibit list to the pretrial order.**

Plaintiff. See Plaintiff's exhibit list attached hereto as Exhibit A. The digital images corresponding to Plaintiff's exhibit list is provided to Defendant Smith & Nephew via SharePoint site. Furthermore, Plaintiff reserves the right to use for any purpose available under the Rules the exhibits listed on Defendant Smith & Nephew's exhibit list.

The exhibits will be offered through deposition designations of a witness, through a *de bene esse* deposition of Defendant's corporate representative, through live witness to be determined in the context of trial, and/or otherwise offered without a sponsoring witness as is appropriate under the Rules. These determinations are also subject to Defendant Smith & Nephew objections, the Court's ruling on what testimony and documents are admissible, and other developments between now and trial. Generally, Plaintiff will seek to introduce documents through each witness who testified about that document, as well as live witnesses disclosed elsewhere in this Rule 106 Pretrial Order.

Smith & Nephew. Smith & Nephew's exhibit list is attached as Exhibit C. Smith & Nephew's current objections as to the authenticity of the exhibits listed on Plaintiff's Exhibit List are annotated in Exhibit O. The parties will discuss issues related to authenticity of exhibits and prepare an updated exhibit list with any unresolved objections as to authenticity by January 10, 2022, as set forth in Amended Case Management Order No. 21 [D.E. 3139] (Oct. 13, 2021).

Smith & Nephew reserves the right to update its exhibit list regarding which exhibits it "expects to offer" versus exhibits it "may offer" after receiving Court rulings on any pending motions, including exhibits depending on the outcome of the motion relating to Professor Graves. As noted below, Smith & Nephew has opposed Plaintiff's motion to conduct *de bene esse* depositions of Mr. Band or of a corporate representative under Rule 30(b)(6). Smith & Nephew also has highlighted that Plaintiff did not satisfy the requirement in Amended CMO No. 21, which requires inclusion "for each exhibit, which witness [the exhibit] will be offered through." [D.E. 3139], § I.1(a), at p. 1. At the October

22, 2021 hearing, Plaintiff's counsel objected to this obligation, to which they previously agreed, contending that it infringed upon Plaintiff's "work product." Hr'g Tr. (Oct. 22, 2021) at 8. Smith & Nephew opposed Plaintiff's request and explained that identification of witnesses through whom an exhibit may be offered is not protected work product and would expedite and facilitate the introduction of evidence at trial. *Id.* at 12. Smith & Nephew again raised this issue at the November 10, 2021 status conference. During the discussion, after raising questions as to specific timing, the Court explained, "... I do want to know at some reasonable time in advance of trial what the exhibits are that you're [plaintiff is] going to be offering without a sponsoring witness, either live or deposition." Status Conf. Tr. (Nov. 10, 2021) at 19. Counsel for Plaintiff acknowledged, "We will endeavor to do that." *Id.* at 20. Such an identification has not yet occurred, and Smith & Nephew maintains that it should occur as soon as practicable and that the Court should set a deadline for such identification.

Pending resolution of this dispute, Smith & Nephew's attached exhibit list does not identify the witnesses through whom each exhibit may be offered. If and when the Court requires Plaintiff to provide that information, Smith & Nephew will provide a revised exhibit list with that information included.

- i. A list for each party of the name, address, and telephone number of each witness, other than those whom the party expects to present and those whom the party may call if the need arises.**

Plaintiff's witness list is attached as Exhibit B.

Smith & Nephew's witness list is attached as Exhibit H.

- j. A list for each party of the name and specialties of experts the party proposed to call as witnesses including hybrid fact/expert witnesses such as treating physicians.**

Plaintiff expects to call the following experts:

<u>Name of Expert</u>	<u>Specialty</u>
Yadin David	Engineering
Scott Marshall	Metallurgist
Mari Truman	Medical device design
Dr. Jeffrey Shapiro	Orthopedic surgeon
Larry Spears	Regulatory
Dr. Aaron James	Pathology
Dr. Henry Boucher* (hybrid fact/expert – treating physician) *Dr. Boucher is expected to testify live. If for some reason Dr. Boucher is unavailable, Plaintiff will play each of his depositions in their entirety, including each of the four cases he was deposed in.	Orthopedic surgeon
Dr. Donna Bea Tillman (Defense expert)	Regulatory
Dr. Michael Mont (Defense expert)	Orthopedic surgeon

Smith & Nephew objects to Plaintiff's inclusion of Dr. Donna-Bea Tillman and Dr. Michael Mont on her expert list, because these individuals were not previously disclosed as experts for Plaintiff, as required. Plaintiff has indicated that she intends to issue a trial subpoena for Dr. Mont, which Smith & Nephew opposes. Smith & Nephew will seek further relief at a later time as appropriate in connection with this request. Nor can Plaintiffs

call these experts in her case-in-chief via deposition designation. In *Redick*, this Court granted Smith & Nephew’s Motion to prevent Plaintiffs from calling Dr. Tillman and Dr. Mont in their case in chief through deposition designations. *See Redick* Pre-Trial Hearing Tr. (July 14, 2021) at 10 (“I agree with Smith & Nephew, in terms of the deposition designations as to the two experts, who as I understand it are within 100 miles of the courthouse. I don’t think those are independently admissible under the Federal Rules of Civil Procedure, Rule 32”).

Smith & Nephew further objects to Plaintiff’s proposed use of depositions “in their entirety” of Dr. Boucher taken in other cases. If Dr. Boucher is unavailable for trial, despite being within the Court’s jurisdiction, and if the Court permits use of his deposition testimony in the *Mosca* case, Plaintiff must identify the particular portions of his depositions of Dr. Boucher taken in other cases that she contends are relevant to her claims in the *Mosca* case. Smith & Nephew reserves the right to object and/or to counter-designate portions of those depositions. Similarly, not all of Dr. Boucher’s testimony taken in the *Mosca* case is admissible, based on the Court’s rulings, and thus Plaintiff must provide specific designations before they can be used at trial.

Smith & Nephew expects to call the following experts:

<u>Name of Expert</u>	<u>Specialty</u>
Dr. Michael Mont	Orthopedic surgeon
Dr. Donna-Bea Tillman	Regulatory
Dr. Kevin Bozic	Orthopedic surgeon

Dr. Stephen Cook	Biomedical engineering
Dr. Kevin Ong	Biomedical engineering
Dr. Edward McCarthy	Pathology
Dr. Brent Kerger	Toxicology
Dr. Marc W. Hungerford	Orthopedic surgeon
Mr. Daniel Goldstein	Medical device quality affairs
Dr. Paul Bills*	Engineering/Metrology

* Dr. Bills will be called only if Plaintiff's expert witness Scott Marshall (i) testifies about any opinions in the *Mosca* case that are based on his explant analysis of only five explanted devices, none of which came from Ms. Mosca, or (ii) is allowed to present any evidence related to that explant analysis.

k. A list of the pages and/or lines of any portion of a deposition to be offered in the party's case in chief or any counter-designations under Fed. R. Civ. P. 32(a)(4).

Plaintiff. For purposes of this section of the Rule 106 disclosure, Ms. Mosca designates all testimony in each deposition taken in this MDL or in other Smith & Nephew cases pending in state courts outside this MDL. At this time, Ms. Mosca believes she will play only a portion of those depositions at trial. For those designations, please see the list of deposition designations Plaintiff currently plans to offer in her case in chief attached at Exhibit E. Plaintiff reserves the right to amend the list after being afforded an opportunity to review any counter-designations Defendant may designate. Additionally, Plaintiff reserves the right to supplement Exhibit E to designate depositions or portions of

depositions in light of the parties' forthcoming discussions regarding which witnesses Smith & Nephew will agree to produce live at trial (either in Baltimore or live via Zoom), and/or as part of any rebuttal evidence deemed necessary, or based on arguments Smith & Nephew makes in opening or on cross-examination of witnesses that would make deposition testimony not currently designated relevant and necessary to play in Plaintiff's case in chief, or testimony that Ms. Mosca would designate but for previous rulings by the Court excluding certain testimony or documents, that, should the Court allow such testimony or documents, Ms. Mosca would have designated as part of this process, including, but not limited to, testimony regarding ii4sm, the 2015 label changes, specific bias evidence, and other evidence excluded from Ms. Redick's trial. Further, to the extent Ms. Redick's motion for a new trial is granted, Ms. Redick hereby designates each and every deposition previously designated, all testimony Ms. Redick designated during trial that was objected to as untimely or irrelevant, as well as all of the above testimony designated by Ms. Mosca.

Smith & Nephew. A list of deposition designations Defendant plans to offer in its case-in-chief and a list of Defendant's counter-designations are attached as Exhibits F and G. Consistent with its position at the October 22, 2021 hearing, Smith & Nephew objects to Plaintiff's submission with respect to deposition designations, including her inclusion of "all testimony in each deposition taken in this MDL or in other Smith & Nephew cases pending in state courts outside this MDL."

As explained at the October 20, 2021 hearing, Plaintiff's approach subverts the requirements and goals of Rule 106 by denying Smith & Nephew and this Court

meaningful notice of Plaintiff's actual deposition designations, and thereby prevents Smith & Nephew from providing complete and responsive counter-designations and cross-designations. Objections to deposition designations remain to be addressed by the Court prior to trial as set forth in Amended CMO No. 21 [D.E. 3139], at §1.3, at pps. 3-5 (setting procedure for resolving objections to deposition designations).

By Agreement. As reported to the Court at the November 10, 2021 status conference, the Parties have agreed to a slight adjustment to the schedule related to deposition designations. Plaintiff served her counter-designations (previously due on October 29 and November 12) to Defendant on November 15, 2021, which are attached as Exhibit J. Defendant will serve its final round of counter-designations (previously due on November 12) to Plaintiff on December 3, 2021 and will file the same as a supplement to the Proposed Pretrial Order in advance of the Pretrial Conference on December 9, 2021.

I. Any other pretrial relief, including a reference to pending motions, which is requested.

1. The following motions are fully briefed and were reserved by the Court or are the subject of ongoing briefing:

<u>Motion</u>	<u>Docket Number</u>	<u>Date Submitted</u>
Defendant's Motions <i>in Limine – Mosca & Redick</i> Nos. 21-22	D.E. 2546, 2551	3/17/2021
Defendant's Mosca-Specific Motions <i>in Limine</i> Nos. 1, 2, 4, 5, 6	D.E. 2521, 2538, 2544, 2547, 2549. The Court has addressed a number of the <i>Mosca</i> -specific motions <i>in limine</i> , but reserved ruling, in whole or in part, with respect to these specific motions. <i>See</i> Memorandum [D.E. 3012] (Sept. 1, 2021) at 7.	3/17/2021

Plaintiffs' Motion for Leave to Take De Bene Esse Depositions of Tim Band and S&N Corporate Representative	D.E. 2980, 3055, 3127	8/20/2021
Defendant Smith & Nephew, Inc.'s Motion and Supporting Memorandum to Exclude Testimony of Professor Stephen Graves	D.E. 3093. The Court has ruled that (1) counsel may take the deposition of Professor Graves, (2) Professor Graves will not be allowed to offer opinion testimony at the <i>Mosca</i> trial, (3) whether Professor Graves has relevant and admissible testimony to offer as a fact witness at the <i>Mosca</i> trial will be determined after the deposition transcript is available, and (4) a further ruling on Smith & Nephew's motion is deferred. <i>See</i> Order [D.E. 3197] (Oct. 21, 2021), at 1.	10/4/21
Defendant Smith & Nephew, Inc.'s Request for Reconsideration or Modification of the Court's Order of October 21, 2021 (Graves Deposition)	D.E. 3214, 3232, 3245	11/2/21
Plaintiff's Motion to Offer Trial Testimony by Use of Remote Contemporaneous Transmission under Rule 43(a)	D.E. 3215, 3246	11/4/21

In addition to the above, Smith & Nephew anticipates filing a motion to bifurcate the trial on the issue of punitive damages prior to the Pretrial Conference.

2. **Voir Dire: Plaintiff's Statement.** Section II of CMO 19 requires Plaintiff to provide an initial draft of proposed voir dire. Plaintiff's draft voir dire questions are attached as Exhibit D.

Smith & Nephew's Statement. The parties have conferred on voir dire questions. The proposed voir dire attached as Exhibit I includes agreed questions, a proposed alternate

to one of the questions which plaintiff rejected, as well as additional questions proposed by Smith & Nephew.

3. **Witnesses**: Plaintiff will disclose the identity and expected order of witnesses to be called in their case-in-chief by Friday, January 14, 2022.

During trial, the parties will utilize best efforts to confirm the identify and order of witnesses to be called the following trial day at the close of each trial day, but by no later than 7 p.m. The parties reserve the sole right to drop a disclosed witness, depending on the events at trial, but agree to provide as much advance notice to the other side as feasible. With respect to testimony by deposition, the parties must follow the protocol set forth in Amended Case Management Order No. 21. [D.E. 3139], § I.3, at pp. 3-5 (setting forth procedure and timing for identifying and resolving disputes relating to deposition testimony, cross-designations and objections).

4. **Demonstratives**: The Parties agree to provide demonstrative exhibits to the other side at least two days before they will be used at trial. If any demonstrative exhibit previously provided requires revisions prior to use, a revised version will be provided by no later than 8 a.m. on the morning of the trial day in which it is expected to be used.

5. **Preadmission of Exhibits**: The Court will not preadmit exhibits prior to trial unless agreed by the parties. Hr'g Tr. (Oct. 22, 2021) at 19. Smith & Nephew objects to preadmission of any exhibits prior to trial.

6. **Use of Confidential Documents at Trial**: Neither party will object to the use of any documents designated as confidential at trial by any other party strictly on that

basis. However, the use of such documents at trial does not waive their confidentiality in this or any other proceeding.

7. **Jury Instructions & Special Verdict Form:** Per Amended Case Management Order 21, Plaintiff's proposed jury instructions and special verdict form are attached as Exhibits K and L, respectively. Defendant's proposed jury instructions and special verdict form are attached as Exhibits M and N, respectively.

m. Any other matters added by the Court.

Dated: November 19, 2021

Respectfully Submitted,

/s/ Robert K. Jenner

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served upon counsel for all parties to this proceeding by email as set out below on this 19th day of November, 2021.

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Exhibit A - Plaintiffs Exhibit List

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0001	SN_BHR_MDL_2290856	SN_BHR_MDL_2290928		9/10/2001	Midland Medical Technologies NICE Submission 2001; MMT Submission to NICE	General Discovery - Liability	Expect to offer
PX0002	SN_BHR_MDL_2797457			8/2/2006	Nikki Tildesley, Smith & Nephew Research Manager; Audit Facilitator for McMinn data; Convinced Unreported Revisions	General Discovery - Liability	Expect to offer
PX0003	SN_BHR_MDL_0076423	SN_BHR_MDL_0076424			Australian Registry Resurfacing Results 2007	General Discovery - Liability	Expect to offer
PX0004	SN_BHR_MDL_2933873	SN_BHR_MDL_2933892		7/1/2008	First Cash Cow	General Discovery - Liability	Expect to offer
PX0005	SN_BHR_MDL_1792891	SN_BHR_MDL_1792894		10/8/2008	Head Size and Gender and Metal Ions Problem	General Discovery - Liability	Expect to offer
PX0006	SN_BHR_MDL_0076710			1/1/2009	Dear Doctor Letter 2009	General Discovery - Liability	Expect to offer
PX0007	SN_BHR_MDL_0931560	SN_BHR_MDL_0485254	SN_BHR_MDL_0931568 Top Docs end bates	9/25/2009	2009 Ad Hoc Request 425	General Discovery - Liability	Expect to offer
PX0008	SN_BHR_MDL_0975377	SN_BHR_MDL_0975387		9/30/2009	Ad Hoc Report	General Discovery - Liability	Expect to offer
PX0009	SN_BHR_MDL_0485243	SN_BHR_MDL_0485244		10/19/2009	Internal Ad Hoc Discussion from Damon Mogridge; AOA Ad Hoc Internal Discussion	General Discovery - Liability	Expect to offer
PX0010	SN_BHR_MDL_0019343	SN_BHR_MDL_0019346		11/12/2009	Dear Doctor Letter by Peter Heeck (Extracted pages from 2009-11-12 CBE Supplement)	General Discovery - Liability	Expect to offer
PX0011	SN_BHR_MDL_3355406			3/9/2010	"Grow a Pair" Email; Grow a Pair and Defend BHR	General Discovery - Liability	Expect to offer
PX0012	SN_BHR_MDL_0137824	SN_BHR_MDL_0137831	SN_BHR_MDL_3409555-Daubert End Bates	5/21/2010	BHR Marketing Call Script and Notes; Tom Troup Emails Re: Updated Script	General Discovery - Liability	Expect to offer
PX0013	SN_BHR_MDL_3409550	SN_BHR_MDL_3409555		5/21/2010	Grow and Defend BHR	General Discovery - Liability	Expect to offer
PX0014	SN_BHR_MDL_0959820	SN_BHR_MDL_0959830		11/19/2010	Peter Heeck Label Change Email 2010; Official Smoking Gun Email	General Discovery - Liability	Expect to offer
PX0015	SN_BHR_MDL_1247640	SN_BHR_MDL_1247642		12/9/2010	12/9/10 email from DeVivo to Burns, Subject: Re: New BHR creative/campaign; BLAZING Sprinkle Says Eventually Supplement Label	General Discovery - Liability	Expect to offer
PX0016	SN_BHR_MDL_2286901			3/9/2011	Letter from Stephen Graves Re: Use of BHR Data for Surgeon Education; SN Can Use Public Data	General Discovery - Liability	Expect to offer
PX0017	SN_BHR_MDL_0076418			3/29/2011	Dear Doctor Letter 2011	General Discovery - Liability	Expect to offer
PX0018	SN_BHR_MDL_0902906	SN_BHR_MDL_0902909		4/15/2011	Women Only British Registry Data; BHR Ad Hoc Women Only Data	General Discovery - Liability	Expect to offer
PX0019	SN_BHR_MDL_2235576	SN_BHR_MDL_2235578		5/31/2011	Dave Telling Emails re: BHR Ad Hoc Data Request AJJR; Good Call Likely Not	General Discovery - Liability	Expect to offer
PX0020	SN_BHR_MDL_0457289	SN_BHR_MDL_0457299		8/31/2011	ii4sm, Smith & Nephew Medical Device Safety Project, 8/31/2011	General Discovery - Liability	Expect to offer
PX0021	SN_BHR_MDL_3516599			12/19/2011	Peter Heeck "Functionally Terminated" Email	General Discovery - Liability	Expect to offer
PX0022	SN_BHR_MDL_0776459	SN_BHR_MDL_0789287	SN_BHR_MDL_0776474-Top Docs end bates	1/18/2012	Examples of Ad Hoc Reports; Ad Hoc BHR Failure Rates-Answers Women's Questions	General Discovery - Liability	Expect to offer
PX0023	SN_BHR_MDL_0370212	SN_BHR_MDL_0370222		1/31/2012	British Registry Data Given to CEO for Investor Call (Email 1/31/12 From Soto-MoM Follow up); Soto Random Medcalc Email	General Discovery - Liability	Expect to offer
PX0024	SN_BHR_MDL_0076425	SN_BHR_MDL_0076429		3/9/2012	Dear Doctor Letter 2012	General Discovery - Liability	Expect to offer
PX0025	SN_BHR_MDL_0951239	SN_BHR_MDL_0951241	SN_BHR_MDL_0951247 Top doc end bates	5/8/2012	Dave Telling Email "Trending Shows"; Telling Complaints Trending Shows Females Small Head Size	General Discovery - Liability	Expect to offer
PX0026	SN_BHR_MDL_2187381	SN_BHR_MDL_2187405		11/2/2012	Tim Band Milk the Cash Cow Presentation	General Discovery - Liability	Expect to offer
PX0027	SN_BHR_MDL_0203587	SN_BHR_MDL_0203599		1/1/2013	PP Sell in US to Retarding OUS Sales Decline pg 6	General Discovery - Liability	Expect to offer
PX0028	SN_BHR_MDL_0076706	SN_BHR_MDL_0076707		1/25/2013	Dear Valued Customer Letter	General Discovery - Liability	Expect to offer
PX0029	SN_BHR_MDL_0090713	SN_BHR_MDL_0090722		8/27/2013	Band BHR Update misreps	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0030	SN_BHR_MDL_0076422	SN_BHR_MDL_0090722			Dear Doctor Letters	General Discovery - Liability	Expect to offer
PX0031	SN_BHR_MDL_0076708	SN_BHR_MDL_0076709			Dear JBJS Reader: Not your average Metal on Metal	General Discovery - Liability	Expect to offer
PX0032	SN_BHR_MDL_0619678	SN_BHR_MDL_0619740		2008	Birmingham Hip Resurfacing, 2008, Marketing Planning	General Discovery - Liability	Expect to offer
PX0033				7/16/2004	BHR PMA App Final (07/16/2004)	General Discovery - Liability	Expect to offer
PX0034				10/24/2004	Owstry Audit Memo (10/24/2004)	General Discovery - Liability	Expect to offer
PX0035				6/27/2005	BHR Audit Memo (06/27/2005)	General Discovery - Liability	Expect to offer
PX0036				6/27/2005	Summary of BHR Audit Preapproval (06/27/2005)	General Discovery - Liability	Expect to offer
PX0037	SN_BHR_MDL_0013053			3/9/2007	PMA Supplement in response to deficiency letter - S&N Advising of changes to US Post Approval Study Protocol	General Discovery - Liability	Expect to offer
PX0038	SN_BHR_MDL_0200607			6/15/2007	Email from Brian Austin to Craig J. Della Valle, MD re: Hip Proposal	General Discovery - Liability	Expect to offer
PX0039	SN_BHR_MDL_0111519	SN_BHR_MDL_0111522		7/20/2007	Email from Brian Austin to Craig J. Della Valle, MD re: Hip Proposal	General Discovery - Liability	Expect to offer
PX0040	SN_BHR_MDL_0079568	SN_BHR_MDL_0079569		3/20/2008	Letter from Rob Cripe (VP Global Hip Franchise) to Dr. Hozack re: Hip Projects	General Discovery - Liability	Expect to offer
PX0041	SN_BHR_MDL_0024820			5/5/2008	24 Month PMA Annual Report	General Discovery - Liability	Expect to offer
PX0042	SN_BHR_MDL_2933874			6/2/2008	Global Hip Franchise 5 Year Vision	General Discovery - Liability	Expect to offer
PX0043	SN_BHR_MDL_0384358			6/18/2008	E-mail Re: G060104/S006 CONFIDENTIAL -06/18/08	General Discovery - Liability	Expect to offer
PX0044	SN_BHR_MDL_0110226			May-09	Smith & Nephew document titled "Knock out your hip competition"	General Discovery - Liability	Expect to offer
PX0045	SN_BHR_MDL_0024957			7/2/2009	36 Month PMA Annual Report	General Discovery - Liability	Expect to offer
PX0046	SN_BHR_MDL_0777010			8/30/2009	Report on Primary Total Hip Replacements in Patients <65 Years of Age	General Discovery - Liability	Expect to offer
PX0047	SN_BHR_MDL_0485245	SN_BHR_MDL_0485254		Oct-09	Birmingham Hip PPT: Australian Registry Analysis October 2009 Damon Mogridge	General Discovery - Liability	Expect to offer
PX0048	SN_BHR_MDL_0777009			10/16/2009	E-mail attaching Australian Registry data 10/16/2009	General Discovery - Liability	Expect to offer
PX0049	SN_BHR_MDL_0019291			11/12/2009	copy of PMA Supplement 2009	General Discovery - Liability	Expect to offer
PX0050	SN_BHR_MDL_0219285	SN_BHR_MDL_0219423		Jun-10	AAOS Survey, Global Hip Franchise Overview- June 2010	General Discovery - Liability	Expect to offer
PX0051	SN_BHR_MDL_0782846			Jun-10	Smith & Nephew PPT 2010: Advanced Bearing Systems- Business Update & Presentation to Naseem Amin (Chief Scientific Officer, Smith & Nephew Plc) By Tim Band, Global Director	General Discovery - Liability	Expect to offer
PX0052	SN_BHR_MDL_0288440			7/22/2010	Smith & Nephew document titled "FMEA- All BHR Implants, July 10"	General Discovery - Liability	Expect to offer
PX0053	SN_BHR_MDL_0077453			10/29/2010	BHR PPT 2010: Evolving Metallurgical Issues in Hip Resurfacing- Birmingham Hip Resurfacing Master's Course	General Discovery - Liability	Expect to offer
PX0054	SN_BHR_MDL_2852222			11/19/2010	BHR ad hoc data request emails (talking about smaller head size causing problems)	General Discovery - Liability	Expect to offer
PX0055	SN_BHR_MDL_0929933			1/26/2011	E-mail chain 1/26/2011	General Discovery - Liability	Expect to offer
PX0056	SN_BHR_MDL_0886087	SN_BHR_MDL_886100		2/1/2011	Peter Heeckt PPT on BHR Australian Registry Update	General Discovery - Liability	Expect to offer
PX0057	SN_BHR_MDL_0103846			2/16/2011	Email, Makris to various Re: FDA overview of MoM hip replacement and resurfacing 2/16/2011	General Discovery - Liability	Expect to offer
PX0058	SN_BHR_MDL_1212180	SN_BHR_MDL_1212185		3/15/2011	Email from Gino Rouss to Dave Telling Re: Peter Heeckt	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0059	SN_BHR_MDL_0347906			3/16/2011	E-mail attaching Warwick Audit	General Discovery - Liability	Expect to offer
PX0060	SN_BHR_MDL_0958963			3/17/2011	Email from Andy Hardison to Jerry Howard re: Warwick Audit 3-9-11	General Discovery - Liability	Expect to offer
PX0061	SN_BHR_MDL_1146444			7/15/2011	Email from Theresa Leister to Courtney Taylor re: BHR ad hoc data request AJJR	General Discovery - Liability	Expect to offer
PX0062	SN_BHR_MDL_0809015			8/3/2011	E-mail attaching audit	General Discovery - Liability	Expect to offer
PX0063	SN_BHR_MDL_0457189			8/31/2011	Medical Device Reporting and Safety Requirements Document 8/31/11	General Discovery - Liability	Expect to offer
PX0064	SN_BHR_MDL_0613585	SN_BHR_MDL_0613640		Sep-11	Smith & Nephew PPT: ABS Update September 2011	General Discovery - Liability	Expect to offer
PX0065	SN_BHR_MDL_0757616			11/14/2011	Email from Courtney Taylor to John Clausen re: Urgent Review Request	General Discovery - Liability	Expect to offer
PX0066				2/1/2012	S&N Deferred Prosecution Agreement	General Discovery - Liability	Expect to offer
PX0067	SN_BHR_MDL_0809101			3/12/2012	3/12/12 email from Moy to Tomkins, Subject: FW: NJRR ad hoc request	General Discovery - Liability	Expect to offer
PX0068	SN_BHR_MDL_0885957			3/16/2012	E-mail dated 3-16-12, with attachment	General Discovery - Liability	Expect to offer
PX0069	SN_BHR_MDL_0457184			3/28/2012	Email 3/28/12 Wilkinson-Medical Device Safety Project	General Discovery - Liability	Expect to offer
PX0070	SN_BHR_MDL_0281342			5/8/2012	5/8/12 report to FDA, Docket No. FDA-2012-N-0293	General Discovery - Liability	Expect to offer
PX0071	SN_BHR_MDL_0094980	SN_BHR_MDL_0094982		5/15/2012	Email from Craig J. Della Valle, MD to Derek McMinn re: Testing of Polymix Resurfacing Cup	General Discovery - Liability	Expect to offer
PX0072	SN_BHR_MDL_1559823			6/5/2012	Email from Markus Pottker-Kroll to Andy Weymann re: WG: Proposal for Complaints Handling and Risk Management at Smith & Nephew	General Discovery - Liability	Expect to offer
PX0073	SN_BHR_MDL_0234108	SN_BHR_MDL_0234241		6/20/2012	R3: Part 806 and Part 7 Medical Devices; Reports of Corrections and Removal for R3	General Discovery - Liability	Expect to offer
PX0074	SN_BHR_MDL_0179854	SN_BHR_MDL_0179882		7/18/2012	Smith & Nephew Monthly Marketing Meeting PPT 7/18/2012	General Discovery - Liability	Expect to offer
PX0075	SN_BHR_MDL_1080580	SN_BHR_MDL_1080584		11/15/2012	2012 BHR Sales of Women and Smaller Device Sizes Reports and Charts within Institute for Outcome Research in Orthopaedics	General Discovery - Liability	Expect to offer
PX0076	SN_BHR_MDL_0867760			1/17/2013	Research in Orthopaedics	General Discovery - Liability	Expect to offer
PX0077	SN_BHR_MDL_0427494	SN_BHR_MDL_0427549		1/24/2013	European Reconstruction SBU 2013; "Cash Cow"	General Discovery - Liability	Expect to offer
PX0078	SN_BHR_MDL_0747204			4/23/2013	Smith & Nephew PPT: BHR Registry Data > Sub-population Analyses by Andy Weymann MD MBA, Chief Medical Officer April 23, 2013	General Discovery - Liability	Expect to offer
PX0079	SN_BHR_MDL_0025935	SN_BHR_MDL_0026231		5/6/2013	Smith & Nephew 2013 Annual Report to FDA	General Discovery - Liability	Expect to offer
PX0080	SN_BHR_MDL_0091996			6/11/2014	Clinical Health Hazard Evaluation Form 6/11/14	General Discovery - Liability	Expect to offer
PX0081	SN_BHR_MDL_0686803			2/12/2015	Email chain 2/12/15 Bill Aubrey	General Discovery - Liability	Expect to offer
PX0082	SN_THA_MDL_0006276	SN_BHR_MDL_0006365		2/19/2015	Clinical Health Hazard Evaluation Form	General Discovery - Liability	Expect to offer
PX0083	SN_BHR_MDL_0762011			2/27/2015	Email from Manoja Ranawake to Blair Fraser re: BHR Field Safety Notice; MHRA ref: 2014/012/019/081/006	General Discovery - Liability	Expect to offer
PX0084	Kopjar_BHR_MDL_0003948_50			3/4/2015	Email from Andy Weymann to Branko Kopjar re: BHR IFU OUS	General Discovery - Liability	Expect to offer
PX0085				4/6/2015	Statistical Analysis Report, Branko Kopjar, MD, MS, PhD (04/06/2015)	General Discovery - Liability	Expect to offer
PX0086	SN_BHR_MDL_0076584	SN_BHR_MDL_0076648		5/21/2015	Smith & Nephew, Inc. Clinical Health Hazard Evaluation Form, 5/21/2015	General Discovery - Liability	Expect to offer
PX0087	SN_BHR_MDL_0551053			Mar-16	Smith & Nephew PPT: BHR & NGR March 2016 (Includes e-mails/edits for PPT)	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0088	SN_BHR_MDL_1046716			4/19/2016	Smith & Nephew PPT: Birmingham Hip Resurfacing System Post-approval Study 2016 Annual Report Review	General Discovery - Liability	Expect to offer
PX0089	SN_BHR_MDL_0651051			11/11/2018	Email from Joseph DeVivo to Derek McMinn CC: Tim Band & Mark Waugh re: Forecasts; Big Balls and Cup Placement Oct 08.ppt	General Discovery - Liability	Expect to offer
PX0090					McMinn Center- Site Audit and Training Report	General Discovery - Liability	Expect to offer
PX0091	SN_BHR_MDL_0146804	SN_BHR_MDL_0146834			Marcos Velez-Duran Summary of Clinical Studies	General Discovery - Liability	Expect to offer
PX0092	SN_BHR_MDL_0488486	SN_BHR_MDL_0488494			McBryde, et. al., The Influence of Head Size and Sex on the Outcome of Birmingham Hip Resurfacing, J. Bone. Joint Surg. Am. 2010	General Discovery - Liability	Expect to offer
PX0093	SN_BHR_MDL_0019675	SN_BHR_MDL_0019680			Ollivere, et. al., Early Clinical Failure of the Birmingham Metal-on-Metal Hip Resurfacing Is Associated With Metallosis and Soft-Tissue Necrosis, J. Bone. Joint Surg. Br. 2009 Aug	General Discovery - Liability	Expect to offer
PX0094	SN_BHR_MDL_2092201	SN_BHR_MDL_0762026			MHRA and Smith & Nephew Discussions	General Discovery - Liability	Expect to offer
PX0095	SN_BHR_MDL_0484652	SN_BHR_MDL_1250382			Medical Education PowerPoints After Graves Letter Did Not Include Warning Graves Approved	General Discovery - Liability	Expect to offer
PX0096	SN_BHR_MDL_1398996	SN_BHR_MDL_0905058			Internal Presentations Repeatedly Citing NICE	General Discovery - Liability	Expect to offer
PX0097	SN_BHR_MDL_0215773	SN_BHR_MDL_0215802			BHR PowerPoint on BHR Differences; 2010 Presentation Heat Treated v. As Cast	General Discovery - Liability	Expect to offer
PX0098	SN_BHR_MDL_0871846	SN_BHR_MDL_0871873			An Update on Post Market Surveillance and the Regulatory Status of BHR	General Discovery - Liability	Expect to offer
PX0099	SN_BHR_MDL_0750128	SN_BHR_MDL_0750149			The Future of BHR PPT	General Discovery - Liability	Expect to offer
PX0100	SN_BHR_MDL_0804635	SN_BHR_MDL_0804707			Email re: "Project X"	General Discovery - Liability	Expect to offer
PX0101	SN_BHR_MDL_0222528	SN_BHR_MDL_0222531			BHR2: New Head Design	General Discovery - Liability	Expect to offer
PX0102	SN_BHR_MDL_0890077	SN_BHR_MDL_0890128			Hip Strategy Board On The Future of BHR	General Discovery - Liability	Expect to offer
PX0103					Owestry Center - Site Audit and Training Report	General Discovery - Liability	Expect to offer
PX0104	SN_BHR_MDL_3492009	SN_BHR_MDL_3492030			FDA Establishment Inspection Report	General Discovery - Liability	Expect to offer
PX0105	SN_BHR_MDL_0158933	SN_BHR_MDL_0158942			Emails from Andy Weymann Re: McMinn Centre Data	General Discovery - Liability	Expect to offer
PX0106	SN_BHR_MDL_0244001	SN_BHR_MDL_0244224			Part 806 Medical Devices; Reports of Corrections and Removal for BHR	General Discovery - Liability	Expect to offer
PX0107	SN_BHR_MDL_0183311	SN_BHR_MDL_0183344			FDA Panel Meeting on PMA Application for BHR, September 8, 2005	General Discovery - Liability	Expect to offer
PX0108	SN_BHR_MDL_0019613	SN_BHR_MDL_0019720			2010 Changes Being Effectuated	General Discovery - Liability	Expect to offer
PX0109	SN_BHR_MDL_0240215	SN_BHR_MDL_0240373			2011 Changes Being Effectuated	General Discovery - Liability	Expect to offer
PX0110	SN_BHR_MDL_0819733	SN_BHR_MDL_0819734			Smith & Nephew Internal Memo Re: Conversation with FDA's John Goode	General Discovery - Liability	Expect to offer
PX0111	SN_BHR_MDL_2094994	SN_BHR_MDL_0889880			Medical Education Documents and Presentations	General Discovery - Liability	Expect to offer
PX0112					BBC News, "Derek McMinn: License restrictions for surgeon who 'kept bones.'" October 31, 2020	General Discovery - Liability	Expect to offer
PX0113	SN_BHR_MDL_0254504	SN_BHR_MDL_0254507			S&N Letter to MHRA	General Discovery - Liability	Expect to offer
PX0114	SN_BHR_MDL_3019424	SN_BHR_MDL_3019437			Smith & Nephew Letter to FDA October 2010	General Discovery - Liability	Expect to offer
PX0115	SN_BHR_MDL_0025482	SN_BHR_MDL_0025739			Smith & Nephew 2011 Annual Report to FDA	General Discovery - Liability	Expect to offer
PX0116	SN_BHR_MDL_0025740	SN_BHR_MDL_0025934			Smith & Nephew 2012 Annual Report to FDA	General Discovery - Liability	Expect to offer
PX0117	SN_BHR_MDL_0141172	SN_BHR_MDL_0141211			Andy Weymann Letter to FDA 2012	General Discovery - Liability	Expect to offer
PX0118	SN_BHR_MDL_0281265	SN_BHR_MDL_0281297			Tim Band Presentation to FDA 2012	General Discovery - Liability	Expect to offer
PX0119					Larry Spears Expert Report	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0120	SN_BHR_MDL_0922172	SN_BHR_MDL_0922175			Ad Hoc Report 425	General Discovery - Liability	Expect to offer
PX0121	SN_BHR_MDL_0868530	SN_BHR_MDL_0868579			2009 BHR US Marketing Trends and Plan	General Discovery - Liability	Expect to offer
PX0122	SN_BHR_MDL_0123915	SN_BHR_MDL_0123921			PMA Study Trending Analysis	General Discovery - Liability	Expect to offer
PX0123	SN_BHR_MDL_2375790				Peter Heeckt Email re: Withdraw BHR	General Discovery - Liability	Expect to offer
PX0124					Dr. Yadin David Expert Report	General Discovery - Liability	Expect to offer
PX0125	SN_BHR_MDL_0749148	SN_BHR_MDL_0749189			Smith & Nephew ASDD Hip Strategy Board Meeting	General Discovery - Liability	Expect to offer
PX0126	SN_BHR_MDL_1210772	SN_BHR_MDL_1210776			Email Re: Oswestry Group	General Discovery - Liability	Expect to offer
PX0127	SN_BHR_MDL_0246720	SN_BHR_MDL_0246845			Kopjar Statistical Analysis Report	General Discovery - Liability	Expect to offer
PX0128					Mari Truman Engineer's Report	General Discovery - Liability	Expect to offer
PX0129	SN_BHR_MDL_0079841	SN_BHR_MDL_0079845			Kaiser Registry Data	General Discovery - Liability	Expect to offer
PX0130	SN_BHR_MDL_2933973	SN_BHR_MDL_2933892			Smith & Nephew Orthopedics MoM Technology Group PPT	General Discovery - Liability	Expect to offer
PX0131	SN_BHR_MDL_3370949	SN_BHR_MDL_3370957			Exiting BHR in 2010 Business Analysis	General Discovery - Liability	Expect to offer
PX0132					General Causation Expert Report of Jeffrey Shapiro. M.D.	General Discovery - Liability	Expect to offer
PX0133					CEO Transcript 2011 S&N Earnings Conference Call	General Discovery - Liability	Expect to offer
PX0134	SN_BHR_MDL_1218124	SN_BHR_MDL_1218125			Email Re: Weymann Advice	General Discovery - Liability	Expect to offer
PX0135	SN_BHR_MDL_0974970	SN_BHR_MDL_0975103			Tim Band- Board Presentation	General Discovery - Liability	Expect to offer
PX0136	SN_BHR_MDL_1755088				Analysis of Revenue Losses from Withdrawing BHR	General Discovery - Liability	Expect to offer
PX0137	SN_BHR_MDL_1973153	SN_BHR_MDL_1973157			R3 Withdrawn To Protect BHR Email	General Discovery - Liability	Expect to offer
PX0138	SN_BHR_MDL_1976227	SN_BHR_MDL_1976233			R3 Metal Liners Phase-Out Rationale and Execution Plan	General Discovery - Liability	Expect to offer
PX0139	SN_BHR_MDL_1868732	SN_BHR_MDL_1868742			R3 Metal Liners Conference Call Recap	General Discovery - Liability	Expect to offer
PX0140	SN_BHR_MDL_1768814	SN_BHR_MDL_1768816			Email from Andy Weymann	General Discovery - Liability	Expect to offer
PX0141	SN_BHR_MDL_0000001	SN_BHR_MD_-0000229			PMA Application & Approval Letter / Conditions	General Discovery - Liability	Expect to offer
PX0142	SN_BHR_MDL_0370135	SN_BHR_MDL_0370161			Metal-on-Metal State of the Evidence and Recommendations	General Discovery - Liability	Expect to offer
PX0143	SN_BHR_MDL_1633175	SN_BHR_MDL_1633176			Andy Weymann THA Strategy	General Discovery - Liability	Expect to offer
PX0144	SN_BHR_MDL_1003291	SN_BHR_MDL_1003297			S&N Presentation "What Countries Didn't Know"	General Discovery - Liability	Expect to offer
PX0145	SN_BHR_MDL_1658474	SN_BHR_MDL_1658475			2015 BHR Sales of Women and Smaller Device sizes	General Discovery - Liability	Expect to offer
PX0146	SN_BHR_MDL_2661983	SN_BHR_MDL_2661984			Email from Russell Walter Confirming Withdrew Smaller BHR to Protect BHR	General Discovery - Liability	Expect to offer
PX0147	SN_BHR_MDL_0165044	SN_BHR_MDL_0165068			PowerPoint presentation Why are we Here Today?	General Discovery - Liability	Expect to offer
PX0148					L. Scott Marshall Expert Report	General Discovery - Liability	Expect to offer
PX0149					L. Scott Marshall CV	General Discovery - Liability	Expect to offer
PX0150	SN_BHR_MDL_0000518	SN_BHR_MDL_0001067		7/16/2004	Premarket Approval Application for the Smith & Nephew BHR Appendix A Volume 2 of 2	General Discovery - Liability	Expect to offer
PX0151	SN_BHR_MDL_0001257	SN_BHR_MDL_0001633		7/16/2004	Premarket Approval Application for the Smith & Nephew BHR Appendix C Volume 1 of 1	General Discovery - Liability	Expect to offer
PX0152	SN_BHR_MDL_0001634			7/16/2004	Premarket Approval Application for the Smith & Nephew BHR Appendix D Volume 1 of 1	General Discovery - Liability	Expect to offer
PX0153	SN_BHR_MDL_0001638			7/16/2004	Premarket Approval Application for the Smith & Nephew BHR Appendix E Volume 1 of 1	General Discovery - Liability	Expect to offer
PX0154	SN_BHR_MDL_0001672			9/15/2004	Amendment to PO40033 September 15, 2004	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0155	SN_BHR_MDL_0002156			9/30/2004	Amendment to PO40033 September 30, 2004	General Discovery - Liability	Expect to offer
PX0156	SN_BHR_MDL_0003713			1/28/2005	Amendment #3 BHR PO40033	General Discovery - Liability	Expect to offer
PX0157	SN_BHR_MDL_0004718				Volume III Amendment to PO40033 Statistical Tables	General Discovery - Liability	Expect to offer
PX0158	SN_BHR_MDL_0004935			4/29/2005	PMA Volume IV Data Listings 1 of 3	General Discovery - Liability	Expect to offer
PX0159	SN_BHR_MDL_0005299				PMA Volume V Data Listings 4 to 6	General Discovery - Liability	Expect to offer
PX0160	SN_BHR_MDL_0005478				PMA Volume VI Data Listings 7.1	General Discovery - Liability	Expect to offer
PX0161	SN_BHR_MDL_0005874				PMA volume VII Data Listings 7.2	General Discovery - Liability	Expect to offer
PX0162	SN_BHR_MDL_0006271				PMA Volume VIII Data Listings 7.3	General Discovery - Liability	Expect to offer
PX0163	SN_BHR_MDL_0006667			4/29/2005	PMA Volume IX Data Listings 8 to 13	General Discovery - Liability	Expect to offer
PX0164	SN_BHR_MDL_0007152			7/8/2005	PMA Amendment to P040033 Part 1	General Discovery - Liability	Expect to offer
PX0165	SN_BHR_MDL_0007537			7/15/2005	PMA Amendment to P040033 Part 2	General Discovery - Liability	Expect to offer
PX0166	SN_BHR_MDL_0008524			9/23/2005	PMA Amendment #6 to P040033	General Discovery - Liability	Expect to offer
PX0167	SN_BHR_MDL_0008797			10/14/2005	PMA Amendment	General Discovery - Liability	Expect to offer
PX0168	SN_BHR_MDL_0009603			3/1/2006	Amendment to PMA P040033	General Discovery - Liability	Expect to offer
PX0169	SN_BHR_MDL_1563846			2/24/2012	S&N Powerpoint on Quarterly Quality Management Review, Action items, & Audits by Kerry Turner (QA Management Representative)	General Discovery - Liability	Expect to offer
PX0170	SN_BHR_MDL_1564133			4/24/2012	Email from Wolfgang Siebels to Dave Telling re: R3 Metal Liner RE: Warwick FDA Readiness	General Discovery - Liability	Expect to offer
PX0171	SN_BHR_MDL_1564143	SN_BHR_MDL_1564157			S&N PPT on ASD Quality Europe, FDA Inspection Success Project, & FDA PMA Supplement Inspection (Weekly F/U - Week 25)	General Discovery - Liability	Expect to offer
PX0172	SN_BHR_MDL_1564158				S&N PPT on ASD Quality Europe, FDA Inspection Success Project, & FDA PMA Supplement Inspection (Weekly F/U - Week 24)	General Discovery - Liability	Expect to offer
PX0173	SN_BHR_MDL_1564171				S&N PPT on ASD Quality Europe, FDA Inspection Success Project, & FDA PMA Supplement Inspection (Weekly F/U - Week 23)	General Discovery - Liability	Expect to offer
PX0174	SN_BHR_MDL_1579784			8/22/2012	Email from Debbie Phillips to Tim Band re: Invite to BHR Masters	General Discovery - Liability	Expect to offer
PX0175	SN_BHR_MDL_1615046			9/8/2016	Email from Sarah Freestone to Andy Weymann re Late MDRs August 2016	General Discovery - Liability	Expect to offer
PX0176	SN_BHR_MDL_1645684			7/21/2011	Email from Mike Allcott to Bill Aubrey re AU 270 with attached Audit Report AU 270 Customer Complaints	General Discovery - Liability	Expect to offer
PX0177	SN_BHR_MDL_1755514			1/24/2010	Email from Dave Telling to Roger Ashton re: FDA Audit Closure Mtg	General Discovery - Liability	Expect to offer
PX0178	SN_BHR_MDL_1958961			5/31/2011	Document on teleconference details between organizer Gino Rouss and attendees Dave Telling, Tim Band, Terrance Smith, Sean Cranston, Theresa Leister, John Connor re: BHR ad hoc data request AJJR	General Discovery - Liability	Expect to offer
PX0179	SN_BHR_MDL_2183494			3/17/2011	Email from Kim Bertagnolli to Telling, McBroom, Shelton, Band re: Warwick- Internal Audit Closing Meeting	General Discovery - Liability	Expect to offer
PX0180	SN_BHR_MDL_2235574			6/13/2011	Email From Gino Rouss to Lindsay Cummings re: FDA Approval- Revised BHR Surgical Technique	General Discovery - Liability	Expect to offer
PX0181	SN_BHR_MDL_2236496			9/13/2012	Email from Balir Fraser to Candi Langmaid re: BHR 10 year Data	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0182	SN_BHR_MDL_2290226			11/27/2013	Email from James Huckle to Weymann and Fraser re: BHR SERB 27-11-13	General Discovery - Liability	Expect to offer
PX0183	SN_BHR_MDL_2297640			7/25/2012	Email from Andy Weymann to David Appleby re: Unified HHE Process	General Discovery - Liability	Expect to offer
PX0184	SN_BHR_MDL_2373263			3/31/2011	Email from Sean Cranston to Gino Rouss and Dave Telling re: BHR ad hoc data request AJJR	General Discovery - Liability	Expect to offer
PX0185	SN_BHR_MDL_2537597			1/31/2012	Email from Peter Heeckt to Tim Band re:Ad Hoc Report BHR Mod Head Jan12Results_820	General Discovery - Liability	Expect to offer
PX0186	SN_BHR_MDL_2598913			5/30/2014	Email from Catherine Dunbar to Luca Orlandini re: Registry data and its use	General Discovery - Liability	Expect to offer
PX0187	SN_BHR_MDL_2598914				Use of Registry Data	General Discovery - Liability	Expect to offer
PX0188	SN_BHR_MDL_2598916				"Purpose"	General Discovery - Liability	Expect to offer
PX0189	SN_BHR_MDL_2603190			6/8/2012	Email from Marcos Velez-Duran to Blair Fraser re: Reason for Revision BHR Resurfacing Cup	General Discovery - Liability	Expect to offer
PX0190	SN_BHR_MDL_2798919				Hip Franchise Development Deep Dive BHR&BMHR-Advanced Bearing Systems	General Discovery - Liability	Expect to offer
PX0191	SN_BHR_MDL_2806024			2/11/2008	Letter from Smith & Nephew: Letter to National Joint Registry about collecting data	General Discovery - Liability	Expect to offer
PX0192	SN_BHR_MDL_2806025			8/2/2006	Letter from Smith & Nephew: Letter to National Joint Registry about collecting data	General Discovery - Liability	Expect to offer
PX0193	SN_BHR_MDL_0143331				BHR-The Effect of Size and Gender	General Discovery - Liability	Expect to offer
PX0194	SN_BHR_MDL_0611748				Apples to Oranges Document	General Discovery - Liability	Expect to offer
PX0195	SN_BHR_MDL_0297353				Post-Market Surveillance and Regulatory Status of BHR	General Discovery - Liability	Expect to offer
PX0196	SN_BHR_MDL_0966467				E-mail attaching Dr. Kopjar's first report	General Discovery - Liability	Expect to offer
PX0197	SN_BHR_MDL_1300760				ii4sm Report	General Discovery - Liability	Expect to offer
PX0198	SN_BHR_MDL_1296405				CAPA Summary	General Discovery - Liability	Expect to offer
PX0199	SN_BHR_MDL_0032398				Birmingham Hip Resurfacing System Important Medical Information, Warnings and Precautions	General Discovery - Liability	Expect to offer
PX0200	SN_BHR_MDL_0025236			5/3/2010	BHR System 48-Month PMA Annual Report (Quality/Development)	General Discovery - Liability	Expect to offer
PX0201	SN_BHR_MDL_0208882	SN_BHR_MDL_0209005			Smith & Nephew PPT: Hip Recovery Plan MoM; ABS Products in Early Intervention Hips; Currently all Metal on Metal bearings	General Discovery - Liability	Expect to offer
PX0202	SN_BHR_MDL_0383044				Smith & Nephew PPT: SNO Active Hips MoM Warwick; BHR Features	General Discovery - Liability	Expect to offer
PX0203	SN_BHR_MDL_1861020			5/15/2012	Email from Jason Jones to multiple recipients re: FDA questions regarding the final report for the BHR UK Post Approval Study	General Discovery - Liability	Expect to offer
PX0204	SN_BHR_MDL_0003114			11/15/2004	Amendment to P040033 attn: John Goode, Scientific Reviewer	General Discovery - Liability	Expect to offer
PX0205	SN_BHR_MDL_0026232			5/14/2014	BHR System 2014 Annual Report	General Discovery - Liability	Expect to offer
PX0206	SN_BHR_MDL_0026613			5/6/2015	BHR P040033 2015 PMA Annual Report	General Discovery - Liability	Expect to offer
PX0207	SN_BHR_MDL_0026747			5/4/2016	Letter to USDA re: PMA Annual Report	General Discovery - Liability	Expect to offer
PX0208	SN_BHR_MDL_0576843	SN_BHR_MDL_0576871			Smith & Nephew PPT: SNO Active Hips MoM Warwick; BHR Features	General Discovery - Liability	Expect to offer
PX0209	SN_BHR_MDL_0752951	SN_BHR_MDL_0752981			Smith & Nephew PPT: BHR Clinical Evidence by Blair Fraser, VP, Scientific Affairs	General Discovery - Liability	Expect to offer
PX0210	SN_BHR_MDL_0896929				Document by Smith & Nephew on Primary Total Resurfacing Hip Replacement	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0211	SN_BHR_MDL_1046805				BHR Post Approval Study (US) Version 4	General Discovery - Liability	Expect to offer
PX0212	SN_BHR_MDL_1500060				S&N Document on interview with Phillip Emmert and the Medical Device Reporting Process	General Discovery - Liability	Expect to offer
PX0213	SN_BHR_MDL_1500063				S&N Document on interview with Andy Hardison and the Medical Device Reporting Process	General Discovery - Liability	Expect to offer
PX0214	SN_BHR_MDL_1500066				S&N Document on interview with Carolyn Shelton and the Medical Device Reporting Process	General Discovery - Liability	Expect to offer
PX0215	SN_BHR_MDL_1500074				S&N Document on interview with Jason Jones and the Medical Device Reporting Process	General Discovery - Liability	Expect to offer
PX0216	SN_BHR_MDL_1500088				S&N Document on interview with Scott Elliott and the Medical Device Reporting Process	General Discovery - Liability	Expect to offer
PX0217	SN_BHR_MDL_1500091				S&N Document on interview with Terri Chenault and the Medical Device Reporting Process	General Discovery - Liability	Expect to offer
PX0218	SN_BHR_MDL_2500426	SN_BHR_MDL_2500429		3/24/2009	Email from Tim Band to Roger Ashton and multiple recipients re: Ox on Ox	General Discovery - Liability	Expect to offer
PX0219	SN_BHR_MDL_2500430	SN_BHR_MDL_2500490		3/20/2009	S&N PPT by Michael Cooper on Onboarding BR1 titled "DH Hard/Hard and Hard/Soft Bearing Project" (61 pages)	General Discovery - Liability	Expect to offer
PX0220	SN_BHR_MDL_2525041	SN_BHR_MDL_2525043		3/23/2009	Email from John Clausen to Tim Band re: Ox on Ox includes DH BR1 OES.PPT	General Discovery - Liability	Expect to offer
PX0221	SN_BHR_MDL_2525044	SN_BHR_MDL_2525104		3/20/2009	S&N PPT by Michael Cooper on Onboarding BR1 titled "DH Hard/Hard and Hard/Soft Bearing Project" (61 pages)	General Discovery - Liability	Expect to offer
PX0222	SN_BHR_MDL_2525404			3/5/2010	Email from Terrance Smith to Tim Band re: CoM BR 01 March 2010.ppt (High Importance)	General Discovery - Liability	Expect to offer
PX0223	SN_BHR_MDL_2525413			3/4/2010	Email from Pilar Mena to Time Band & Terrance Smith re: CoM BR 01 March 2010.ppt (Hight Importance)	General Discovery - Liability	Expect to offer
PX0224	SN_BHR_MDL_2525414	SN_BHR_MDL_2525456		3/8/2010	S&N PPT titled "Ceramic on Metal (OUS) - CR1" by Tim Band, Roger Ashton, & Terrance Smith	General Discovery - Liability	Expect to offer
PX0225	SN_BHR_MDL_2534444	SN_BHR_MDL_2534479		12/3/2009	S&N PPT titled "OES Business Review DEFCOM - BR2"	General Discovery - Liability	Expect to offer
PX0226	SN_BHR_MDL_2551278	SN_BHR_MDL_2551331			S&N PPT on BHR Performance, Sales, Strategies, Project Proposal, & Project Scope	General Discovery - Liability	Expect to offer
PX0227	SN_BHR_MDL_2552232	SN_BHR_MDL_2552323		11/4/2010	S&N PPT titled "Internal Business Review Template" Ceramic on Ceramic by Pilar Ubierna-Mena	General Discovery - Liability	Expect to offer
PX0228	SN_BHR_MDL_2572781	SN_BHR_MDL_2572788		5/31/2013	Email from Deirdre Krammer to John Connor, Carolyn Shelton, Andy Weymann, Amit Parikh, Vivek Pawar, Dawn McLean, & Jeff Sprague re: FDA Meeting Minutes Review	General Discovery - Liability	Expect to offer
PX0229	SN_BHR_MDL_2585223			6/16/2009	Email from Rachel Parkin & Amir Kamali re: defcom clinical equivalence	General Discovery - Liability	Expect to offer
PX0230	SN_BHR_MDL_2585224	SN_BHR_MDL_2585238			S&N Document titled "Clinical Date: Critical Evaluation of Relevant Scientific Literature (To address the requirements of Annex X of Directive 93/42/EEC)"	General Discovery - Liability	Expect to offer
PX0231	SN_BHR_MDL_2613588			12/8/2008	Email from Peter Heeckt to Cheryl Cobb, Blair Fraser, & Andy Weymann re: FW: Strategic Plan	General Discovery - Liability	Expect to offer
PX0232	SN_BHR_MDL_2613589	SN_BHR_MDL_2613651			S&N PPT titled "Smith & Nephew: One Company 2008 Strategic Plan- Orthopaedic 2009 to 2013 Strategic Plan"	General Discovery - Liability	Expect to offer
PX0233	SN_BHR_MDL_2797458			2/8/2006	Email from Nikki Tidesley to Paul Pynsent re: McMin Database	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0234	SN_BHR_MDL_2798918	SN_BHR_MDL_2798944		6/18/2009	Email from Alison Sinclair to Staff: "please see recorded comments regarding Deep Dive Review	General Discovery - Liability	Expect to offer
PX0235	SN_BHR_MDL_2822776	SN_BHR_MDL_2822845		11/4/2009	Email from Steve Bigus to Mark Waugh; John Soto: Q4 2009 Portfolio review v4.ppt	General Discovery - Liability	Expect to offer
PX0236	SN_BHR_MDL_2892103			9/23/2009	Email from Tim Band to Pilar Mena re DefCom	General Discovery - Liability	Expect to offer
PX0237	SN_BHR_MDL_2895125	SN_BHR_MDL_2895130		5/13/2010	Email from Amir Kamali to Derek McMinn re: New BHR Cup Idea	General Discovery - Liability	Expect to offer
PX0238	SN_BHR_MDL_1500058				ii4sm interview notes	General Discovery - Liability	Expect to offer
PX0239	SN_BHR_MDL_0767066				Smith & Nephew Birmingham Hip Resurfacing Doc: Competitive Hip Resurfacing Products Comparison Guide	General Discovery - Liability	Expect to offer
PX0240	SN_BHR_MDL_0886088				PPT: BHR Australian Registry Update; AOA National Joint Replacement Registry 2010	General Discovery - Liability	Expect to offer
PX0241	SN_BHR_MDL_0976866				Document with charts on Yearly Cumulative Percent Revision of Total Resurfacing Hip Replacement and Revision Rates	General Discovery - Liability	Expect to offer
PX0242	SN_BHR_MDL_1083236				Smith & Nephew Document "Metal on Metal Primary Total Conventional Hip Replacement (using the BHR/R3 Combination)"	General Discovery - Liability	Expect to offer
PX0243	SN_BHR_MDL_1215815				Smith & Nephew Document "Metal on Metal Primary Total Conventional Hip Replacement"	General Discovery - Liability	Expect to offer
PX0244	SN_BHR_MDL_1559825			5/25/2011	Pamphlet with charts titled "Project CHARM- Complaints Handling And Risk Management at Smith & Nephew"	General Discovery - Liability	Expect to offer
PX0245	SN_BHR_MDL_1715336			Feb-11	Evaluation of the Leadership of Strategic Change in Msith & Nephew Amir Kamali	General Discovery - Liability	Expect to offer
PX0246	SN_BHR_MDL_1979571			Oct-07	Capital Expenditure Authorisation Control Sheet	General Discovery - Liability	Expect to offer
PX0247	SN_BHR_MDL_2343627			12/1/2011	ODH Testing and IDE Submission Content	General Discovery - Liability	Expect to offer
PX0248	SN_BHR_MDL_2685477			12/6/2010	Email from Hgary Lynch to Les Sprinkle re: Interim Update from Complaints Process Evaluation	General Discovery - Liability	Expect to offer
PX0249	SN_BHR_MDL_2851720			11/19/2010	Email From Heeckt, Peeter To Shelton, Carolyn - BHR ad hoc request AJJR (Smaller heas sizes show worse results)	General Discovery - Liability	Expect to offer
PX0250	SN_BHR_MDL_2852117			11/19/2010	Email from John rEabe to Carolyn Shelton re: BHR aad hoc data request AJJR	General Discovery - Liability	Expect to offer
PX0251	SN_BHR_MDL_0789279			3/22/2012	E-mail string Subject: NJRR Data Request 858	General Discovery - Liability	Expect to offer
PX0252	SN_BHR_MDL_0001068			7/16/2004	PMA application for BHR Appendix B Volume 1 of 1	General Discovery - Liability	Expect to offer
PX0253	SN_BHR_MDL_0003736			4/29/2005	Amendment to P040033 attn: John Goode, Scientific Reviewer	General Discovery - Liability	Expect to offer
PX0254	SN_BHR_MDL_0004210				Volume II Amendment to P040033 SN BHR Response to Questions 34 to 46	General Discovery - Liability	Expect to offer
PX0255	SN_BHR_MDL_0009121			12/6/2005	BHR System Amendment to PMA P040033	General Discovery - Liability	Expect to offer
PX0256	SN_BHR_MDL_0959821				Document by Smith & Nephew on BHR Resurfacing Heads & Primary Total Resurfacing Hip Replacement charts	General Discovery - Liability	Expect to offer
PX0257	SN_BHR_MDL_0968340				Document by Smith & Nephew titled "Take the Gloves Off: Special Edition- Wright Medical Conserve Plus"	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0258	SN_BHR_MDL_1581138			6/29/2011	Email from Tim Band to Mark Tompkins, Mollie Mosby, Graham Hardcastle, and Brandon Windham re: Info Requested on Estimated Investment Cost of BHR / BMHR Product Lines	General Discovery - Liability	Expect to offer
PX0259	SN_BHR_MDL_2507640				What the countries didn't know! S&N PPT Annual Report 2009 on Hip and Knee Athroplasty; Charts on Size & Gender vs Revision by head size	General Discovery - Liability	Expect to offer
PX0260	SN_BHR_MDL_2578636			3/9/2012	Email from Andy Weymann re: NJRR ad hoc Request	General Discovery - Liability	Expect to offer
PX0261	SN_BHR_MDL_3019422			11/10/2010	Email from Jason Jones to multiple recipients re: Birmingham Hip Resurfacing System Position Paper	General Discovery - Liability	Expect to offer
PX0262	SN_BHR_MDL_0110571				Document titled: "Take the Gloves Off: Special Edition - Wright Medical CONSERVE PLUS;"	General Discovery - Liability	Expect to offer
PX0263	SN_BHR_MDL_0173263	SN_BHR_MDL_0173270			Take The Gloves Off Brochure	General Discovery - Liability	Expect to offer
PX0264	SN_BHR_MDL_0010309			11/17/2006	30 Day Notice BHR PMA P040033	General Discovery - Liability	Expect to offer
PX0265	SN_BHR_MDL_0022242			11/20/2013	PMA P040033 Special Pma supplement Post-Approval Study Labeling Update	General Discovery - Liability	Expect to offer
PX0266	SN_BHR_MDL_0023400			7/13/2015	BHR System Special PMA Supplement- Changes Being Effected	General Discovery - Liability	Expect to offer
PX0267	SN_BHR_MDL_1593572			12/3/2013	S&N PPT on BHR > IFU Changes (SERB - Dec 3, 2013)	General Discovery - Liability	Expect to offer
PX0268	SN_BHR_MDL_0123788				Post-Approval Study Report	General Discovery - Liability	Expect to offer
PX0269	SN_BHR_MDL_0809906				2012 E-mail string, various dates	General Discovery - Liability	Expect to offer
PX0270	SN_BHR_MDL_2885800	SN_BHR_MDL_2885803		11/15/2012	Email from Tim Band: Clinical Indications Dollar Amounts	General Discovery - Liability	Expect to offer
PX0271	SN_BHR_MDL_3375274	SN_BHR_MDL_3375284		8/18/2010	Email from Russell Walter to Mark Waugh Update COO1	General Discovery - Liability	Expect to offer
PX0272	SN_BHR_MDL_3407201	SN_BHR_MDL_3407214		8/18/2010	Email from Mark Waugh to Tim Band re: BHR Discussion, Attachments Update COO2 resurfacing	General Discovery - Liability	Expect to offer
PX0273	SN_BHR_MDL_3375258	SN_BHR_MDL_3375273		8/18/2010	Email from Mark Waugh to Tim Band and Russell Walter re: BHR Discussion Update COO2 resurfacing	General Discovery - Liability	Expect to offer
PX0274	SN_BHR_MDL_2922398	SN_BHR_MDL_2922453		8/18/2010	Email from John Soto to Mark Waugh, Michael Turner, David Kelman, Tom Troup, John Clausen Franchise Presentation	General Discovery - Liability	Expect to offer
PX0275	SN_BHR_MDL_2310455	SN_BHR_MDL_2310456		4/23/2010	Email from Chris Moore to Christy Thiel re: Australian Registry Query- BHR Data	General Discovery - Liability	Expect to offer
PX0276	SN_BHR_MDL_2666975	SN_BHR_MDL_2666979		4/23/2010	Email from Chris Moore to Peter Heeckt re: Australian Registry Query- BHR Data	General Discovery - Liability	Expect to offer
PX0277	SN_BHR_MDL_0759569	SN_BHR_MDL_0759573		12/17/2009	Email from Ann Cash to Mark Waughre: Aust Reg final Pieces thus far	General Discovery - Liability	Expect to offer
PX0278	Mosca-Steinwandt_Powers_MDL_000054	Mosca-Steinwandt_Powers_MDL_000055		5/2/2010	Dear Sales Team Member letter	General Discovery - Liability	Expect to offer
PX0279	SN_BHR_MDL_2309689	SN_BHR_MDL_2309692		5/5/2010	Email from Christy Thiel to Ann Tomkins re: Request to share BHR data	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0280	SN_BHR_MDL_0143245	SN_BHR_MDL_0143248		11/9/2007	Email from Mark Waugh to Derek McMinn re Surgeon AUS registry data cover letter and Australian Registry Results 2007	General Discovery - Liability	Expect to offer
PX0281	SN_BHR_MDL_0217615	SN_BHR_MDL_0217618		12/5/2007	Email from Mark Waugh to Justin Bussler re: BHR Registry Mailing- final PDFs	General Discovery - Liability	Expect to offer
PX0282	SN_BHR_MDL_0995447	SN_BHR_MDL_0995454		11/8/2007	Email from Mark Waugh to Andrew Burns, et al. re: AUS Registry surgeon mailer letter	General Discovery - Liability	Expect to offer
PX0283	SN_BHR_MDL_0995474	SN_BHR_MDL_0995478		12/18/2007	Email from Mark Waugh to Ann Burrow re:Direct Mail BHR postcard attaching Surgeon AUS registry data cover letter	General Discovery - Liability	Expect to offer
PX0284	SN_BHR_MDL_2003307	SN_BHR_MDL_2003312		11/16/2007	Email from Mark Waugh to Rob Cripe and Andrew Holman re: BHR Mailing budget	General Discovery - Liability	Expect to offer
PX0285	SN_BHR_MDL_0858424	SN_BHR_MDL_0858447			2007 a Patients Guide	General Discovery - Liability	Expect to offer
PX0286	SN_BHR_MDL_3370949	SN_BHR_MDL_3370957			Where is the resurfacing market headed?	General Discovery - Liability	Expect to offer
PX0287	SN_BHR_MDL_1240920	SN_BHR_MDL_1240977			Milk the cash cow	General Discovery - Liability	Expect to offer
PX0288	SN_BHR_MDL_0142713	SN_BHR_MDL_0142811		9/7/2009	Email from Tim Band to Hannah Longbottom re: Question from a shareholder	General Discovery - Liability	Expect to offer
PX0289	SN_BHR_MDL_0158615	SN_BHR_MDL_0158688		8/13/2012	Email from Tim Band to Paul Just re: NICE submission 2001	General Discovery - Liability	Expect to offer
PX0290	SN_BHR_MDL_0167007	SN_BHR_MDL_0167081		8/13/2012	Email from Paul Just to Dave Telling re: NICE Submission 2001	General Discovery - Liability	Expect to offer
PX0291	SN_BHR_MDL_0199828	SN_BHR_MDL_0199901		8/13/2012	Email from Dave Telling to Tim Band re: NICE Submission 2001	General Discovery - Liability	Expect to offer
PX0292	SN_BHR_MDL_0295074	SN_BHR_MDL_0295094		3/2/2012	Email from Peter Heeckt to Wolfgang Siebels re: Metal on Metal - WG	General Discovery - Liability	Expect to offer
PX0293	SN_BHR_MDL_0076347	SN_BHR_MDL_0076455		10/24/2012	Email from Christy Thiel to Tom Pynsent and Chris Moore re: Latest australian Ad hoc report	General Discovery - Liability	Expect to offer
PX0294				8/27/2013	BHR Update email to Dr. Boucher	General Discovery - Liability	Expect to offer
PX0295	SN_BHR_MDL_2924319	SN_BHR_MDL_2924322		11/14/2007	Email from Mark Waugh to Terrance Smith, Tim Bourne, Steve Miller, and Rob Cripe re: BHR Mailing pieces- updated	General Discovery - Liability	Expect to offer
PX0296	SN_BHR_MDL_0143327	SN_BHR_MDL_0143340		5/25/2010	Email from Damon Mogridge to Sharat Kusuma re: Help with BHR slides?	General Discovery - Liability	Expect to offer
PX0297	SN_BHR_MDL_2309693	SN_BHR_MDL_2309694		4/23/2010	Email from Peter Heeckt to Chris Moore re: Australian Registry Query- BHR Data	General Discovery - Liability	Expect to offer
PX0298	SN_BHR_MDL_0995455	SN_BHR_MDL_0995459		11/28/2007	Email from Mark Waugh to Damon Mogridge and Lianne Bogan re: BHR Registry Mailing- final PDFs	General Discovery - Liability	Expect to offer
PX0299	SN_BHR_MDL_0931560			4/27/2010	Email from Christy Thiel to Ann Tomkins re: Request to share BHR data	General Discovery - Liability	Expect to offer
PX0300	SN_BHR_MDL_2310452	SN_BHR_MDL_2310454		5/5/2010	Email from Chris Moore to Christy Thiel re: Australian Registry Query- BHR Data	General Discovery - Liability	Expect to offer
PX0301					Australian Registry Annual Report 2001	General Discovery - Liability	Expect to offer
PX0302					Australian Registry Annual Report 2002	General Discovery - Liability	Expect to offer
PX0303					Australian Registry Annual Report 2003	General Discovery - Liability	Expect to offer
PX0304					Australian Registry Annual Report 2004	General Discovery - Liability	Expect to offer
PX0305					Australian Registry Annual Report 2005	General Discovery - Liability	Expect to offer
PX0306					Australian Registry Annual Report 2006	General Discovery - Liability	Expect to offer
PX0307					Australian Registry Annual Report 2007	General Discovery - Liability	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX0308					Australian Registry Annual Report 2008	General Discovery - Liability	Expect to offer
PX0309					Australian Registry Annual Report 2009	General Discovery - Liability	Expect to offer
PX0310					Australian Registry Annual Report 2010	General Discovery - Liability	Expect to offer
PX0311					Australian Registry Annual Report 2011	General Discovery - Liability	Expect to offer
PX0312					Australian Registry Annual Report 2012	General Discovery - Liability	Expect to offer
PX0313					Australian Registry Annual Report 2013	General Discovery - Liability	Expect to offer
PX0314					Australian Registry Annual Report 2014	General Discovery - Liability	Expect to offer
PX0315					Australian Registry Annual Report 2015	General Discovery - Liability	Expect to offer
PX2000				2/7/2020	Deposition of Henry Boucher, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2000_001				1/22/2020	NOD of Henry Boucher, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2000_002				1/1/2020	Henry Boucher, MD CV	Depositions and Expert Reports and CVs	Expect to offer
PX2000_003					BHR handwritten notes	Depositions and Expert Reports and CVs	Expect to offer
PX2000_004					Urgent- Medical Device Market Removal 1st notification email chain from Boucher personal email to Boucher work email	Depositions and Expert Reports and CVs	Expect to offer
PX2000_005				8/29/2019	In Office Meeting Invoice for Stephen Steinwandt	Depositions and Expert Reports and CVs	Expect to offer
PX2000_006				6/13/2019	Phylliss Mosca conference call notes	Depositions and Expert Reports and CVs	Expect to offer
PX2000_007				2/3/2020	Jenner Law letter re Mosca Disclosure of Ex Parte Contacts with Treating Physician	Depositions and Expert Reports and CVs	Expect to offer
PX2000_008					Indications for Hip Resurfacing	Depositions and Expert Reports and CVs	Expect to offer
PX2000_009	SN_BHR_MDL_0078172	SN_BHR_MDL_0078195		10/25/2007	BHR 10th Anniversary Meeting Miami	Depositions and Expert Reports and CVs	Expect to offer
PX2000_010	SN_BHR_MDL_0078197	SN_BHR_MDL_0078204			Femoral Neck Fracture in Hip Resurfacing Dr Simon F Journeaux Miami Presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2000_011	SN_BHR_MDL_0078137	SN_BHR_MDL_0078171		10/1/2007	3rd Annual Hip Joint Preservation and Hip Resurfacing course synopsis	Depositions and Expert Reports and CVs	Expect to offer
PX2000_012	SN_BHR_MDL_1675901	SN_BHR_MDL_1675904		10/6/2010	Article from the journal of Bone & Joint surgery	Depositions and Expert Reports and CVs	Expect to offer
PX2000_013					early clinical failure of the Birmingham metal-on-metal hip resurfacing is associated with metallosis and soft-tissue necrosis	Depositions and Expert Reports and CVs	Expect to offer
PX2000_014							
PX2000_015	BHR_MDL_MEDICALS_Mosca			5/29/2007	Phylliss Mosca orthopaedic note	Depositions and Expert Reports and CVs	Expect to offer
PX2000_016	aP_001336				BHR Important Medical Information Warnings and Precautions	Depositions and Expert Reports and CVs	Expect to offer
PX2000_017	SN_BHR_MDL_0032348	SN_BHR_MDL_0032372			GBMC Phylliss Mosca office note	Depositions and Expert Reports and CVs	Expect to offer
PX2000_018	Mosca 000054	Mosca 000056		2/6/2018	Phylliss Mosca off note MedStar	Depositions and Expert Reports and CVs	Expect to offer
PX2000_019	Mosca 000083	Mosca 000084					
PX2000_020	BHR_MDL_MEDICALS_Mosca	BHR_MDL_MEDICALS_Mosca		7/11/2018	Mosca- LabCorp	Depositions and Expert Reports and CVs	Expect to offer
PX2000_021	aP_000263	caP_000264			Fourth Amended Defendant Fact Sheet Mosca	Depositions and Expert Reports and CVs	Expect to offer
PX2000_022	SN_BHR_MDL_0076423	SN_BHR_MDL_0076424			Australian Registry Resurfacing Results 2007	Depositions and Expert Reports and CVs	Expect to offer
PX2000_023	SN_BHR_MDL_0485243	SN_BHR_MDL_0485244		10/19/2009	email from Damon Mogridge	Depositions and Expert Reports and CVs	Expect to offer
PX2000_024	SN_BHR_MDL_0975377	SN_BHR_MDL_0975387			Request 408	Depositions and Expert Reports and CVs	Expect to offer
PX2000_025	SN_BHR_MDL_0019343	SN_BHR_MDL_0019346		5/1/2009	Ref: Orthopaedic update	Depositions and Expert Reports and CVs	Expect to offer
PX2000_026					Protective Order	Depositions and Expert Reports and CVs	Expect to offer
PX2001				6/26/2020	Deposition of Henry Boucher, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2001_001					Deposition Transcript of Henry Boucher, M.D., 2/7/2020	Depositions and Expert Reports and CVs	Expect to offer
PX2001_002					Notice of Deposition	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2001_003					2/3/2020 Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2001_004					6/2/2020 Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2001_005					Request 408	Depositions and Expert Reports and CVs	Expect to offer
PX2001_006					Third Annual Hip Joint Preservation and Hip Resurfacing Course Synopsis	Depositions and Expert Reports and CVs	Expect to offer
PX2001_007					Annual Report, 2009, AOA	Depositions and Expert Reports and CVs	Expect to offer
PX2001_008					Third Annual Hip Resurfacing Course Overview, September 2009	Depositions and Expert Reports and CVs	Expect to offer
PX2001_009					1/17/2005 Operative Report	Depositions and Expert Reports and CVs	Expect to offer
PX2001_010					Doctor's Note for Stephan Steinwandt	Depositions and Expert Reports and CVs	Expect to offer
PX2001_011					Questionnaire	Depositions and Expert Reports and CVs	Expect to offer
PX2001_012					12/1/2010 Preop Clearance Note	Depositions and Expert Reports and CVs	Expect to offer
PX2001_013					Informed Consent and Authorization for Orthopedic Joint Surgery	Depositions and Expert Reports and CVs	Expect to offer
PX2001_014					Smith & Nephew IFU	Depositions and Expert Reports and CVs	Expect to offer
PX2001_015					12/14/2010 Operative Report	Depositions and Expert Reports and CVs	Expect to offer
PX2001_016					Discharge Summary	Depositions and Expert Reports and CVs	Expect to offer
PX2001_017					Index Discharge Instructions	Depositions and Expert Reports and CVs	Expect to offer
PX2001_018					E-mail String	Depositions and Expert Reports and CVs	Expect to offer
PX2001_019					11/4/2010 Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2001_020					E-mail Thread	Depositions and Expert Reports and CVs	Expect to offer
PX2001_021					E-mail Thread	Depositions and Expert Reports and CVs	Expect to offer
PX2002				7/24/2020	Deposition of Henry Boucher, MD 7/24/2020	Depositions and Expert Reports and CVs	Expect to offer
PX2002_001				9/12/2007	Operative Report	Depositions and Expert Reports and CVs	Expect to offer
PX2002_002				8/2/2006	Tildesley E-mail	Depositions and Expert Reports and CVs	Expect to offer
PX2002_003					MedStar Union Memorial Records	Depositions and Expert Reports and CVs	Expect to offer
PX2002_004				9/12/2007	History and Physical	Depositions and Expert Reports and CVs	Expect to offer
PX2002_005				12/12/2007	BHR Informed Consent	Depositions and Expert Reports and CVs	Expect to offer
PX2003				8/7/2020	Deposition of Henry Boucher, MD 8/7/20	Depositions and Expert Reports and CVs	Expect to offer
PX2003_001					Franklin Square Hospital Center Aubrey Sedgwick Medical records	Depositions and Expert Reports and CVs	Expect to offer
PX2004				2/21/2020	Deposition of Marty Kuser, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2004_001					NOD of Marty Kuser, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2004_002					M. Kuser Resume	Depositions and Expert Reports and CVs	Expect to offer
PX2004_003					November 2008 email string	Depositions and Expert Reports and CVs	Expect to offer
PX2004_004					Walter Russell 10-28-08 email	Depositions and Expert Reports and CVs	Expect to offer
PX2004_005					10-2009 email	Depositions and Expert Reports and CVs	Expect to offer
PX2004_006					Powerpoint slide	Depositions and Expert Reports and CVs	Expect to offer
PX2004_007					A. Homan email- BH Boost Plan 2008	Depositions and Expert Reports and CVs	Expect to offer
PX2004_008					Smith & Nephew Turning the Tide	Depositions and Expert Reports and CVs	Expect to offer
PX2004_009					Smith & Nephew Adverse Event Policy Module	Depositions and Expert Reports and CVs	Expect to offer
PX2004_010					D. Quirk Complaint Details Report	Depositions and Expert Reports and CVs	Expect to offer
PX2004_011					J. Maquire Complaint Details Report	Depositions and Expert Reports and CVs	Expect to offer
PX2004_012					Surgical technique Brochure 1-07	Depositions and Expert Reports and CVs	Expect to offer
PX2004_013					Important Medical Information 12-09	Depositions and Expert Reports and CVs	Expect to offer
PX2004_014					Surgical Technique Brochure 10-10	Depositions and Expert Reports and CVs	Expect to offer
PX2005				1/8/2020	Deposition of Terrance "Terry" Powers	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2005_001	Mosca-Steinwandt_Powers_MDL_000001	Mosca-Steinwandt_Powers_MDL_000157			Successful Outcomes with hip resurfacing	Depositions and Expert Reports and CVs	Expect to offer
PX2005_002	SN_BHR_MDL_0110571	SN_BHR_MDL_0110574			Take the Gloves off: Special Edition	Depositions and Expert Reports and CVs	Expect to offer
PX2005_003	SN_BHR_MDL_0110226	SN_BHR_MDL_0110233			Take the Gloves off- DePuy	Depositions and Expert Reports and CVs	Expect to offer
PX2005_004	SN_BHR_MDL_0386013	SN_BHR_MDL_0386020			Take the Gloves off- Stryker	Depositions and Expert Reports and CVs	Expect to offer
PX2005_005	SN_BHR_MDL_0173263	SN_BHR_MDL_0173270			Take the Gloves off- Biomet	Depositions and Expert Reports and CVs	Expect to offer
PX2005_006	SN_BHR_MDL_0628940	SN_BHR_MDL_0628943			The effect of acetabular component design and orientation	Depositions and Expert Reports and CVs	Expect to offer
PX2005_007	SN_BHR_MDL_0682394	SN_BHR_MDL_0682414			Welcome to Product Complaint Reporting Policy Module	Depositions and Expert Reports and CVs	Expect to offer
PX2005_008					2010 BHR Marketing Plan; There is only one BHR!	Depositions and Expert Reports and CVs	Expect to offer
PX2005_009	SN_BHR_MDL_0076422	SN_BHR_MDL_0076424			Dear Doctor letter attaching 2007 Registry Data	Depositions and Expert Reports and CVs	Expect to offer
PX2005_010	SN_BHR_MDL_0076710				Dear Doctor Letter 2009	Depositions and Expert Reports and CVs	Expect to offer
PX2005_011	SN_BHR_MDL_0076418				Dear Doctor Letter 2011	Depositions and Expert Reports and CVs	Expect to offer
PX2005_012	SN_BHR_MDL_0076419	SN_BHR_MDL_0076420		1/1/2011	BHR Brochure 1/2011	Depositions and Expert Reports and CVs	Expect to offer
PX2005_013	SN_BHR_MDL_0076425	SN_BHR_MDL_0076429		3/9/2012	Dear Doctor Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2005_014	SN_BHR_MDL_0076708	SN_BHR_MDL_0076709			Dear JBJS Reader: Not your average Metal on Metal	Depositions and Expert Reports and CVs	Expect to offer
PX2005_015	SN_BHR_MDL_1049886	SN_BHR_MDL_1049937			Surgical Technique	Depositions and Expert Reports and CVs	Expect to offer
PX2005_016	SN_BHR_MDL_1500108				BHR Component Invoice	Depositions and Expert Reports and CVs	Expect to offer
PX2006				10/15/2020	Deposition of Stephanie Pritchard	Depositions and Expert Reports and CVs	Expect to offer
PX2007				10/20/2020	Deposition of Audra Kristiansen	Depositions and Expert Reports and CVs	Expect to offer
PX2008				10/30/2020	Deposition of Mary Craig-Buckholtz	Depositions and Expert Reports and CVs	Expect to offer
PX2008_001					Craig-Buckholtz CV; Depo Exhibit 1	Depositions and Expert Reports and CVs	Expect to offer
PX2008_002					Mosca records 115 pages; Depo Exhibit 2	Depositions and Expert Reports and CVs	Expect to offer
PX2008_003					Mosca records 48 pages; Depo Exhibit 3	Depositions and Expert Reports and CVs	Expect to offer
PX2009				9/11/2020	Deposition of Dr. Ariane Cometa	Depositions and Expert Reports and CVs	Expect to offer
PX2009_001					Dr. Ariane Cometa CV; Depo Exhibit 1	Depositions and Expert Reports and CVs	Expect to offer
PX2009_002					Phylliss Mosca Medical Records; Depo Exhibit 2	Depositions and Expert Reports and CVs	Expect to offer
PX2010				10/6/2020	Deposition of Dr. Corina Fratila	Depositions and Expert Reports and CVs	Expect to offer
PX2010_001					CV of Dr. Corina Fratila; Depo Exhibit 1	Depositions and Expert Reports and CVs	Expect to offer
PX2010_002					Phylliss Mosca Medical Records; Depo Exhibit 2	Depositions and Expert Reports and CVs	Expect to offer
PX2010_003					Bay West Endocrinology Records; Depo Exhibit 3	Depositions and Expert Reports and CVs	Expect to offer
PX2011				10/23/2020	Deposition of Terry Pritt	Depositions and Expert Reports and CVs	Expect to offer
PX2011_001					CV of Terry Pritt; Depo Exhibit 1	Depositions and Expert Reports and CVs	Expect to offer
PX2011_002					Phylliss Mosca Medical Records; Depo Exhibit 2	Depositions and Expert Reports and CVs	Expect to offer
PX2012				11/5/2020	Deposition of Richard Levine, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2012_001					CV of Richard Levine, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2012_002					Medical Records from Dr. Levine 2012; Depo Exhibit 2	Depositions and Expert Reports and CVs	Expect to offer
PX2012_003					Medical Records from Dr. Levine 2018; Depo Exhibit 3	Depositions and Expert Reports and CVs	Expect to offer
PX2012_004				4/22/2019	Phylliss Mosca Arthroscopy Report; Depo Exhibit 4	Depositions and Expert Reports and CVs	Expect to offer
PX2012_005					Mosca Medstar Orthopedics Records; Depo Exhibit 5	Depositions and Expert Reports and CVs	Expect to offer
PX2013				9/11/2020	Deposition of Jeffrey Shapiro	Depositions and Expert Reports and CVs	Expect to offer
PX2013_001					Jeffrey Shapiro, MD Notice of Deposition	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2013_002					Jeffrey Shapiro Summary	Depositions and Expert Reports and CVs	Expect to offer
PX2013_003				7/15/2020	Jeffrey Shapiro Expert Report	Depositions and Expert Reports and CVs	Expect to offer
PX2013_004					Jeffrey Shapiro CV	Depositions and Expert Reports and CVs	Expect to offer
PX2013_005					Jeffrey Shapiro References	Depositions and Expert Reports and CVs	Expect to offer
PX2013_006					Jeffrey Shapiro Deposition and Trial Testimony	Depositions and Expert Reports and CVs	Expect to offer
PX2013_006A					Exhibit 6-A Updated deposition trial testimony history	Depositions and Expert Reports and CVs	Expect to offer
PX2013_007					Two page invoice from Jeffrey Shapiro, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2013_008					Shapiro Exhibit 8 Jeffrey Shapiro M.D. Health Grades website	Depositions and Expert Reports and CVs	Expect to offer
PX2013_009					EXHIBIT 9 (not marked)	Depositions and Expert Reports and CVs	Expect to offer
PX2013_010					Exhibit 10 Hip table 47	Depositions and Expert Reports and CVs	Expect to offer
PX2013_011					Exhibit 11 Attachment	Depositions and Expert Reports and CVs	Expect to offer
PX2013_01;SN_BHR_MDL_0954410	SN_BHR_MDL_0954413			5/1/2009	Letter re Orthopedic Update	Depositions and Expert Reports and CVs	Expect to offer
PX2013_013				7/1/2008	Article: Psuedotumours associated with Metal on metal hip resurfacings	Depositions and Expert Reports and CVs	Expect to offer
PX2014				1/20/2021	Deposition of Jeffrey Shapiro 1/20/2021 Volume 1	Depositions and Expert Reports and CVs	Expect to offer
PX2014_001					Notice of Deposition of Jeffrey Shapiro	Depositions and Expert Reports and CVs	Expect to offer
PX2014_002					Operative Report	Depositions and Expert Reports and CVs	Expect to offer
PX2014_004					Dr. Shapiro's expert report	Depositions and Expert Reports and CVs	Expect to offer
PX2014_005					Dr. Shapiro's notes	Depositions and Expert Reports and CVs	Expect to offer
PX2015				1/26/2021	Deposition of Jeffrey Shapiro 1/26/2021	Depositions and Expert Reports and CVs	Expect to offer
PX2015_001					Third Amended Notice of Remote Deposition of Jeffrey Shapiro, M.D.	Depositions and Expert Reports and CVs	Expect to offer
PX2015_002					Expert report of Jeffrey Shapiro, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2015_003					Jeffrey Shapiro, List of Materials reviewed for this litigation: Paula Redick	Depositions and Expert Reports and CVs	Expect to offer
PX2016				2/3/2021	Deposition of Jeffrey Shapiro 2/3/2021 Volume 2	Depositions and Expert Reports and CVs	Expect to offer
PX2016_001					Third Amended Notice of Remote Deposition of Jeffrey Shapiro, M.D.	Depositions and Expert Reports and CVs	Expect to offer
PX2016_002					Memorandum Opinion in Biomet Orthopedics	Depositions and Expert Reports and CVs	Expect to offer
PX2016_003					Henry Boucher, MD Orthopaedic note for Phyliss Mosca	Depositions and Expert Reports and CVs	Expect to offer
PX2017				1/22/2021	Deposition of Aaron James Volume 1	Depositions and Expert Reports and CVs	Expect to offer
PX2017_001					Amended Notice of Deposition	Depositions and Expert Reports and CVs	Expect to offer
PX2017_002					Curriculum Vitae	Depositions and Expert Reports and CVs	Expect to offer
PX2017_003					Medical-Legal Curriculum Vitae	Depositions and Expert Reports and CVs	Expect to offer
PX2017_004					Albritton Invoice	Depositions and Expert Reports and CVs	Expect to offer
PX2017_005					Screenshot of Slides	Depositions and Expert Reports and CVs	Expect to offer
PX2017_006				8/25/2020	8/25/2020 Inventory	Depositions and Expert Reports and CVs	Expect to offer
PX2017_007				12/2/2020	12/2/20 Notes	Depositions and Expert Reports and CVs	Expect to offer
PX2017_008				12/3/2020	12/3/20 Albritton Report	Depositions and Expert Reports and CVs	Expect to offer
PX2017_009				1/13/2020	1/13/2020 Notes	Depositions and Expert Reports and CVs	Expect to offer
PX2017_010					Mosca Invoice	Depositions and Expert Reports and CVs	Expect to offer
PX2017_011					Photograph of Slides	Depositions and Expert Reports and CVs	Expect to offer
PX2017_012				2/12/2020	2/12/20 Notes	Depositions and Expert Reports and CVs	Expect to offer
PX2017_013				12/3/2020	12/3/20 Mosca Report	Depositions and Expert Reports and CVs	Expect to offer
PX2017_014				1/13/2021	1/13/21 Mosca Notes	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2017_015				12/3/2021	12/3/21 Sedgwick Invoice	Depositions and Expert Reports and CVs	Expect to offer
PX2017_016					Photograph of Slides	Depositions and Expert Reports and CVs	Expect to offer
PX2017_017					Sedgwick Surgical Pathology Report	Depositions and Expert Reports and CVs	Expect to offer
PX2017_018				12/2/2020	12/2/20 Sedgwick Notes	Depositions and Expert Reports and CVs	Expect to offer
PX2017_019				12/4/2020	12/4/20 Sedgwick Report	Depositions and Expert Reports and CVs	Expect to offer
PX2017_020				1/13/2021	1/13/21 Sedgwick	Depositions and Expert Reports and CVs	Expect to offer
PX2018				2/4/2021	Deposition of Aaron James Volume 2	Depositions and Expert Reports and CVs	Expect to offer
PX2018_001					Amended Notice of Deposition	Depositions and Expert Reports and CVs	Expect to offer
PX2018_002					Sedgwick File PDF	Depositions and Expert Reports and CVs	Expect to offer
PX2018_003				1/25/2021	1/25/2021 Production Document	Depositions and Expert Reports and CVs	Expect to offer
PX2019				2/5/2021	Deposition of Marc Hungerford, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2019_001					Ad Hoc Report	Depositions and Expert Reports and CVs	Expect to offer
PX2019_002					Ad Hoc Report 25	Depositions and Expert Reports and CVs	Expect to offer
PX2019_003					Objections and Responses to the NOD	Depositions and Expert Reports and CVs	Expect to offer
PX2019_004					Invoices	Depositions and Expert Reports and CVs	Expect to offer
PX2019_005					Exhibit 2 to Expert Report	Depositions and Expert Reports and CVs	Expect to offer
PX2019_006					Powerpoint on THA	Depositions and Expert Reports and CVs	Expect to offer
PX2019_007					2009 Presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2019_008					2009 Ad Hoc 425	Depositions and Expert Reports and CVs	Expect to offer
PX2019_009					Australian Registry Analysis	Depositions and Expert Reports and CVs	Expect to offer
PX2019_010					Ad Hoc 405	Depositions and Expert Reports and CVs	Expect to offer
PX2019_011					Powerpoint Presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2019_012					Letter to the FDA	Depositions and Expert Reports and CVs	Expect to offer
PX2020				2/12/2021	Deposition of Marc Hungerford, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2020_001	missing this exhibit; not in repository				Expert Report of Marc Hungerford, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2020_002	missing this exhibit; not in repository				Objections and Responses to Notice to take remote videotaped Deposition of Marc Hungerford, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2020_003	missing this exhibit; not in repository				Supplemental List	Depositions and Expert Reports and CVs	Expect to offer
PX2020_004	missing this exhibit; not in repository				Cocaine as possible causes of osteonecrosis	Depositions and Expert Reports and CVs	Expect to offer
PX2020_005	missing this exhibit; not in repository				osteonecrosis following alcohol, cocaine and steroid use	Depositions and Expert Reports and CVs	Expect to offer
PX2020_006	missing this exhibit; not in repository				Simultaneous Bilateral Avascular Necrosis of the femoral heads associated with cocaine use	Depositions and Expert Reports and CVs	Expect to offer
PX2021				3/2/2021	Deposition of Edward McCarthy	Depositions and Expert Reports and CVs	Expect to offer
PX2021_001					McCarthy Report re: William Albritton	Depositions and Expert Reports and CVs	Expect to offer
PX2021_002					McCarthy Report re: Phyliss Mosca	Depositions and Expert Reports and CVs	Expect to offer
PX2021_003					McCarthy Report re: Aubrey Sedgwick	Depositions and Expert Reports and CVs	Expect to offer
PX2022				10/17/2019	Deposition of Naseem Amin	Depositions and Expert Reports and CVs	Expect to offer
PX2022_001	SN_BHR_MDL_1579784	SN_BHR_MDL_1579790			Email from Debbie Phillips to Tim Band re: Invite to BHR Masters	Depositions and Expert Reports and CVs	Expect to offer
PX2022_002					PMA approval letter	Depositions and Expert Reports and CVs	Expect to offer
PX2022_003	SN_BHR_MDL_0777009	SN_BHR_MDL_0777020		10/16/2009	E-mail chain	Depositions and Expert Reports and CVs	Expect to offer
PX2022_004	SN_BHR_MDL_0886087	SN_BHR_MDL_0886100		2/1/2011	E-mail attaching Australian Registry data	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2022_005	SN_BHR_MDL_0485243	SN_BHR_MDL_0485244		10/19/2009	Internal Ad Hoc Discussion from Damon Mogridge; AOA	Depositions and Expert Reports and CVs	Expect to offer
PX2022_006	SN_BHR_MDL_0959820	SN_BHR_MDL_0959830		11/19/2010	Ad Hoc Internal Discussion	Depositions and Expert Reports and CVs	Expect to offer
PX2022_007	SN_BHR_MDL_0929933	SN_BHR_MDL_0929934			E-mail attaching Australian Registry data	Depositions and Expert Reports and CVs	Expect to offer
PX2022_008	SN_BHR_MDL_1212180	SN_BHR_MDL_1212185			E-mail chain	Depositions and Expert Reports and CVs	Expect to offer
PX2022_009	SN_BHR_MDL_0370212	SN_BHR_MDL_0370222		1/31/2012	E-mail chain	Depositions and Expert Reports and CVs	Expect to offer
PX2022_010	SN_BHR_MDL_0809101	SN_BHR_MDL_0809102		3/12/2012	E-mail attaching report SN_BHR_MDL_0789282 through SN_BHR_MDL_0789287	Depositions and Expert Reports and CVs	Expect to offer
PX2022_011	SN_BHR_MDL_0951239	SN_BHR_MDL_0951241			E-mail chain	Depositions and Expert Reports and CVs	Expect to offer
PX2022_012	SN_BHR_MDL_1115275	SN_BHR_MDL_1115342			E-mail and Cleveland Clinic presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2022_013	SN_BHR_MDL_0032398	SN_BHR_MDL_0032422			2010 BHR label	Depositions and Expert Reports and CVs	Expect to offer
PX2022_014	SN_BHR_MDL_1080580	SN_BHR_MDL_1080581		11/15/2012	E-mail	Depositions and Expert Reports and CVs	Expect to offer
PX2022_015	SN_BHR_MDL_0966467	SN_BHR_MDL_0966593			E-mail attaching Dr. Kopjar's first report	Depositions and Expert Reports and CVs	Expect to offer
PX2022_016	SN_BHR_MDL_0091996	SN_BHR_MDL_0092031			2014 Clinical HHE	Depositions and Expert Reports and CVs	Expect to offer
PX2022_017	SN_BHR_MDL_0076584	SN_BHR_MDL_0076648		5/21/2015	2015 Clinical HHE	Depositions and Expert Reports and CVs	Expect to offer
PX2022_018	SN_BHR_MDL_0025935	SN_BHR_MDL_0025943		5/6/2013	May 6, 2013 BHR annual report	Depositions and Expert Reports and CVs	Expect to offer
PX2022_019	SN_BHR_MDL_0457184	SN_BHR_MDL_0457188		3/28/2012	Email 3/28/12 Wilkinson-Medical Device Safety Project	Depositions and Expert Reports and CVs	Expect to offer
PX2022_020	SN_BHR_MDL_1300760	SN_BHR_MDL_1300770			ii4sm Report	Depositions and Expert Reports and CVs	Expect to offer
PX2022_021	SN_BHR_MDL_0457189	SN_BHR_MDL_0457288			Medical Device Reporting and Safety Requirements Analysis and Global Diagnostic	Depositions and Expert Reports and CVs	Expect to offer
PX2022_022					Summary of Safety and Effectiveness Data	Depositions and Expert Reports and CVs	Expect to offer
PX2022_023	SN_BHR_MDL_1500058	SN_BHR_MDL_1500059			Notes of ii4sm interview with Peter Heeckt	Depositions and Expert Reports and CVs	Expect to offer
PX2023				7/9/2019	Deposition of Tim Band	Depositions and Expert Reports and CVs	Expect to offer
PX2023_001				7/16/2004	July 16, 2004 Premarket Approval Application	Depositions and Expert Reports and CVs	Expect to offer
PX2023_002				10/29/2005	Letter from Wright Medical to FDA, October 29, 2005	Depositions and Expert Reports and CVs	Expect to offer
PX2023_003	SN_BHR_MDL_123788	SN_BHR_MDL_123845			Final Post-Approval Study Report SN_BHR_MDL_123788 through SN_BHR_MDL_123845	Depositions and Expert Reports and CVs	Expect to offer
PX2023_004				4/29/2005	April 29, 2005 submission to FDA	Depositions and Expert Reports and CVs	Expect to offer
PX2023_005					Letter to Mr. Velez-Duran from M Squared	Depositions and Expert Reports and CVs	Expect to offer
PX2023_006					McMinn Center - Site Audit and Training Report	Depositions and Expert Reports and CVs	Expect to offer
PX2023_007	SN_BHR_MDL_384358	SN_BHR_MDL_384362			E-mail chain SN_BHR_MDL_384358 through SN_BHR_MDL_384362	Depositions and Expert Reports and CVs	Expect to offer
PX2023_008					M Squared Response to FDA queries	Depositions and Expert Reports and CVs	Expect to offer
PX2023_009	SN_BHR_MDL_158933	SN_BHR_MDL_158942			E-mail chain SN_BHR_MDL_158933 through SN_BHR_MDL_158942	Depositions and Expert Reports and CVs	Expect to offer
PX2023_010	SN_BHR_MDL_427494	SN_BHR_MDL_4247549			European Reconstruction SBU	Depositions and Expert Reports and CVs	Expect to offer
PX2023_011	SN_BHR_MDL_203587	SN_BHR_MDL_203599			PowerPoint slide deck	Depositions and Expert Reports and CVs	Expect to offer
PX2023_012	SN_BHR_MDL_551053	SN_BHR_MDL_551088			PowerPoint slide deck 2	Depositions and Expert Reports and CVs	Expect to offer
PX2023_013	SN_BHR_MDL_457189	SN_BHR_MDL_457288			ii4SM report SN_BHR_MDL_457189 through SN_BHR_MDL_457288	Depositions and Expert Reports and CVs	Expect to offer
PX2023_014	SN_BHR_MDL_457289	SN_BHR_MDL_457299			ii4SM report SN_BHR_MDL_457289 through SN_BHR_MDL_457299	Depositions and Expert Reports and CVs	Expect to offer
PX2023_015				5/9/2006	FDA letter to Marcos Velez-Duran, May 9, 2006	Depositions and Expert Reports and CVs	Expect to offer
PX2023_016	SN_BHR_MDL_76584	SN_BHR_MDL_76648		May-15	HHE May 2015 SN_BHR_MDL_76584 through SN_BHR_MDL_76648	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2023_017	Kopjar_BHR_MDL_3960	Kopjar_BHR_MDL_3961			E-mail chain Kopjar_BHR_MDL_3960 through Kopjar_BHR_MDL_3961	Depositions and Expert Reports and CVs	Expect to offer
PX2023_018	SN_BHR_MDL_246720	SN_BHR_MDL_246845			Kopjar Statistical Analysis Report SN_BHR_MDL_246720 through SN_BHR_MDL_246845	Depositions and Expert Reports and CVs	Expect to offer
PX2023_019	SN_BHR_MDL_747070				E-mail chain SN_BHR_MDL_747070	Depositions and Expert Reports and CVs	Expect to offer
PX2023_020	SN_BHR_MDL_871846	SN_BHR_MDL_871873			E-mail and PowerPoint deck	Depositions and Expert Reports and CVs	Expect to offer
PX2023_021					Kopjar Statistical Analysis Report	Depositions and Expert Reports and CVs	Expect to offer
PX2023_022	SN_BHR_MDL_781568	SN_BHR_MDL_781634			How to sell the BHR slides	Depositions and Expert Reports and CVs	Expect to offer
PX2023_023	SN_BHR_MDL_782343	SN_BHR_MDL_782375			Project X Concept review	Depositions and Expert Reports and CVs	Expect to offer
PX2023_024	SN_BHR_MDL_79568	SN_BHR_MDL_79569			Letter to Dr. Hozack	Depositions and Expert Reports and CVs	Expect to offer
PX2023_025	SN_BHR_MDL_165044	SN_BHR_MDL_165156			Why are we here today? slides	Depositions and Expert Reports and CVs	Expect to offer
PX2024_001				1/29/2020	Deposition of Blair Fraser	Depositions and Expert Reports and CVs	Expect to offer
PX2024_002				3/17/2005	PowerPoint BHR PMA Update, March 17, 2005	Depositions and Expert Reports and CVs	Expect to offer
PX2024_003				10/29/2005	October 29, 2005, correspondence between Wright Medical and the FDA	Depositions and Expert Reports and CVs	Expect to offer
PX2024_004	BHR_MDL_0158933				Email correspondence produced by Smith & Nephew with a Bates label beginning BHR_MDL_0158933	Depositions and Expert Reports and CVs	Expect to offer
PX2024_005	BHR_MDL_0172365	BHR_MDL_0172384			2007 marketing brochure for the BHR product	Depositions and Expert Reports and CVs	Expect to offer
PX2024_006	MCCRACKEN-000001	MCCRACKEN-000008		5/9/2006	May 9, 2006, letter from the FDA to Smith & Nephew FDA conditional approval letter	Depositions and Expert Reports and CVs	Expect to offer
PX2024_007	BHR_MDL_0123788	BHR_MDL_0123845			Birmingham Hip Resurfacing System Final United Kingdom Post-Approval Study Report	Depositions and Expert Reports and CVs	Expect to offer
PX2024_008					Composite Exhibit C-4-6 Survivorship Data and Table 28: Subgroup Analysis for Revisions for Gender, Age and Hip Group	Depositions and Expert Reports and CVs	Expect to offer
PX2024_009				7/1/2004	July 2004 Initial PMA Application	Depositions and Expert Reports and CVs	Expect to offer
PX2024_010	BHR_MDL_0123915				Email String BHR_MDL_0123915	Depositions and Expert Reports and CVs	Expect to offer
PX2024_011					Composite Exhibit C-4-6-22 Survivorship Data, Table 28: Subgroup Analysis For Revisions for Gender, Age and Hip Group, and Table 16: Survival by Gender	Depositions and Expert Reports and CVs	Expect to offer
PX2024_012	BHR_MDL_0110226	BHR_MDL_0110233			Document entitled "Take the Gloves Off - DePuy, Knock out your hip competition"	Depositions and Expert Reports and CVs	Expect to offer
PX2024_013	BHR_MDL_0959820	BHR_MDL_0959830		11/19/2010	Email from Peter Heeckt to Carolyn Shelton dated 11/19/10 BHR_MDL_0959820-0959830	Depositions and Expert Reports and CVs	Expect to offer
PX2024_014					Composite Exhibit C-9-10 2008 Australian Registry and Figure HT37: Cumulative Percent Revision of BHR Primary Total Resurfacing Hip Replacement by Gender	Depositions and Expert Reports and CVs	Expect to offer
PX2024_015	BHR_MDL_0076710				Dear Doctor Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2024_016	BHR_MDL_0457189	BHR_MDL_0457288			Medical Device Reporting and Safety Requirements Analysis and Global Diagnostic	Depositions and Expert Reports and CVs	Expect to offer
PX2024_017					Composite Exhibit C-5-12 Promise No. 4	Depositions and Expert Reports and CVs	Expect to offer
PX2024_018	BHR_MDL_1277497	BHR_MDL_1277531			Femoral Neck Fracture in Hip Resurfacing	Depositions and Expert Reports and CVs	Expect to offer
PX2024_019					Brochure, Birmingham Hip Resurfacing System	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2024_01	BHR_MDL_0370212	BHR_MDL_0370222		1/31/2012	Email from John Soto to Michael Frazzette dated 1/31/12	Depositions and Expert Reports and CVs	Expect to offer
PX2024_020					Edited Transcript SN.L - Q4 and Full Year 2011 Smith and Nephew PLC Earnings Conference Call	Depositions and Expert Reports and CVs	Expect to offer
PX2024_021	BHR_MDL_0427494	BHR_MDL_0427513		1/24/2013	Excerpt from the European Reconstruction SBU/Advanced Surgical Devices QBR 24th January 2013	Depositions and Expert Reports and CVs	Expect to offer
PX2024_022	BHR_MDL_0551053	BHR_MDL_0551088			BHR_MDL_0551053-0551088	Depositions and Expert Reports and CVs	Expect to offer
PX2024_023	BHR_MDL_0370134	BHR_MDL_0370161			PowerPoint Presentation BHR_MDL_0370134-0370161	Depositions and Expert Reports and CVs	Expect to offer
PX2024_024					Composite chart (two pages)	Depositions and Expert Reports and CVs	Expect to offer
PX2024_025					Peter Heeckt FaceBook	Depositions and Expert Reports and CVs	Expect to offer
PX2024_026	BHR_MDL_1048360	BHR_MDL_1048465			Birmingham Hip Resurfacing System 132 Month Interim Post-Approval Study Status Report	Depositions and Expert Reports and CVs	Expect to offer
PX2024_027	BHR_MDL_0244001	BHR_MDL_0244002		6/3/2015	Letter to US FDA from Smith & Nephew dated June 3, 2015	Depositions and Expert Reports and CVs	Expect to offer
PX2024_028	BHR_MDL_1247640	BHR_MDL_1247642			Email String BHR_MDL_1247640-1247642	Depositions and Expert Reports and CVs	Expect to offer
PX2024_029	BHR_MDL_0752951	BHR_MDL_0752981			Presentation, BHR Clinical Evidence Blair Fraser, Vice President Scientific Affairs	Depositions and Expert Reports and CVs	Expect to offer
PX2024_030	BHR_MDL_0281342	BHR_MDL_0281382		5/8/2012	Letter to the US FDA from Andy Weymann dated May 8, 2012	Depositions and Expert Reports and CVs	Expect to offer
PX2024_031	BHR_MDL_0008622	BHR_MDL_0008627			Request 858-Smith & Nephew Primary Total Resurfacing Hip Replacement	Depositions and Expert Reports and CVs	Expect to offer
PX2025				12/1/2020	Deposition of Peter Heeckt	Depositions and Expert Reports and CVs	Expect to offer
PX2025_001				8/26/2020	Declaration of Peter Heeckt, M.D., Ph.D. dated 8-26-20	Depositions and Expert Reports and CVs	Expect to offer
PX2025_002	SN_BHR_MDL_1500058	SN_BHR_MDL_1500059			ii4sm interview notes	Depositions and Expert Reports and CVs	Expect to offer
PX2025_004				6/3/2015	Letter dated 6-3-15	Depositions and Expert Reports and CVs	Expect to offer
PX2025_005	SN_BHR_MDL_1040520	SN_BHR_MDL_1040528		11/15/2007	E-mail dated 11-15-07, with attachment	Depositions and Expert Reports and CVs	Expect to offer
PX2025_006	SN_BHR_MDL_0929933	SN_BHR_MDL_0929934		11/19/2010	E-mail string dated 11-19-10, 1-6-11 and 1-26-11	Depositions and Expert Reports and CVs	Expect to offer
PX2025_007				11/29/2010	Email string dated 11-29-10	Depositions and Expert Reports and CVs	Expect to offer
PX2025_008	SN_BHR_MDL_1080580	SN_BHR_MDL_1080584		11/15/2012	E-mail string dated 11-15-12, Bates stamped SN_BHR_MDL_1080580 through SN_BHR_MDL_1080584	Depositions and Expert Reports and CVs	Expect to offer
PX2025_009	SN_BHR_MDL_2578636	SN_BHR_MDL_2578638		3/8/2012	E-mail string dated 3-8-12 and 3-9-12	Depositions and Expert Reports and CVs	Expect to offer
PX2025_010	SN_BHR_MDL_0959820	SN_BHR_MDL_0959830		11/19/2010	E-mail dated 11-19-10 with attachment	Depositions and Expert Reports and CVs	Expect to offer
PX2025_011	SN_BHR_MDL_0886087	SN_BHR_MDL_0886100		2/1/2011	E-mail dated 2-1-11 with attachment	Depositions and Expert Reports and CVs	Expect to offer
PX2025_012	SN_BHR_MDL_0809906	SN_BHR_MDL_0809909			2012 E-mail string, various dates	Depositions and Expert Reports and CVs	Expect to offer
PX2025_013	SN_BHR_MDL_0809101	SN_BHR_MDL_0809102		3/12/2012	Email string dated 3-12-12 and 3-22-12 with attachment, Bates stamped SN_BHR_MDL_0789282 through SN_BHR_MDL_0789287	Depositions and Expert Reports and CVs	Expect to offer
PX2025_014	SN_BHR_MDL_3523133	SN_BHR_MDL_3523134		11/14/2011	E-mail string dated 11-14-11	Depositions and Expert Reports and CVs	Expect to offer
PX2025_015	SN_BHR_MDL_0885957	SN_BHR_MDL_0885961		3/16/2012	E-mail dated 3-16-12, with attachment	Depositions and Expert Reports and CVs	Expect to offer
PX2025_017	SN_BHR_MDL_3355406			3/9/2010	E-mail string dated 3-9-10	Depositions and Expert Reports and CVs	Expect to offer
PX2025_018	SN_BHR_MDL_2187381	SN_BHR_MDL_2187405			E-mail with attached PowerPoint presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2025_020	SN_BHR_MDL_3517055			2/2/2012	email string dated 2-2-12 and 2-3-12	Depositions and Expert Reports and CVs	Expect to offer
PX2026				11/14/2020	Deposition of Michael Mont	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2026_002					Michael A. Mont's Report	Depositions and Expert Reports and CVs	Expect to offer
PX2026_002B					Copy of Michael A. Mont's Report signed and dated	Depositions and Expert Reports and CVs	Expect to offer
PX2026_003					Michael A. Mont's CV	Depositions and Expert Reports and CVs	Expect to offer
PX2026_004					Exhibit B "...In addition to the materials referenced"	Depositions and Expert Reports and CVs	Expect to offer
PX2026_005					Guidance on Medical Device Patient Labeling; Final Guidance for Industry and FDA Reviewers	Depositions and Expert Reports and CVs	Expect to offer
PX2026_006					Femoral Head Resurfacing: Appropriate Patient Selection article	Depositions and Expert Reports and CVs	Expect to offer
PX2026_007					The Orthopaedic Forum - Graduated Introduction of Orthopaedic Implants: Encouraging Innovation and Minimizing Harm	Depositions and Expert Reports and CVs	Expect to offer
PX2026_008					Hip Osteoarthritis: A Primer	Depositions and Expert Reports and CVs	Expect to offer
PX2026_009					Hip Resurfacing: Patient and Treatment Options	Depositions and Expert Reports and CVs	Expect to offer
PX2026_010					Is there a New Learning Curve with Transition to a New Resurfacing System	Depositions and Expert Reports and CVs	Expect to offer
PX2026_011					Narrowed Indications Improve Outcomes for Hip Resurfacing Arthroplasty	Depositions and Expert Reports and CVs	Expect to offer
PX2026_012					The future role of metal-on-metal hip resurfacing	Depositions and Expert Reports and CVs	Expect to offer
PX2026_013					Review Article The Hip Society	Depositions and Expert Reports and CVs	Expect to offer
PX2026_014					Specialty Update: What's New in Total Hip Arthroplasty	Depositions and Expert Reports and CVs	Expect to offer
PX2026_015					Department of Health and Human Services Food and Drug Administration Medical Devices Advisory Committee Orthopaedic and Rehabilitation Panel	Depositions and Expert Reports and CVs	Expect to offer
PX2026_017					Document titled: General Information	Depositions and Expert Reports and CVs	Expect to offer
PX2026_018				6/4/2015	Statement regarding BHR System dated 4 June 2015	Depositions and Expert Reports and CVs	Expect to offer
PX2026_022					Birmingham Hip Australian Registry Analysis	Depositions and Expert Reports and CVs	Expect to offer
PX2026_028					Email exchange from Peter Heeckt to Carolyn Shelton	Depositions and Expert Reports and CVs	Expect to offer
PX2026_036					Email exchange from Smith Terrance to Band Tim	Depositions and Expert Reports and CVs	Expect to offer
PX2026_038					Statistical Analysis Report Client: Smith & Nephew Orthopaedics Limited	Depositions and Expert Reports and CVs	Expect to offer
PX2026_039					Clinical Health Hazard Evaluation Form	Depositions and Expert Reports and CVs	Expect to offer
PX2026_040					Statistical Analysis Report Client: Smith & Nephew, Ltd.	Depositions and Expert Reports and CVs	Expect to offer
PX2026_043					Birmingham Hip Resurfacing Foreign Confidential Personal Data	Depositions and Expert Reports and CVs	Expect to offer
PX2026_043	SN_EXP_Mont_MDL_00000						
PX2026_043	38				Document SN_EXP_Mont_MDL_0000038	Depositions and Expert Reports and CVs	Expect to offer
PX2026_049					Additional Exhibit B	Depositions and Expert Reports and CVs	Expect to offer
PX2026_050					What is a Serious Adverse Event?	Depositions and Expert Reports and CVs	Expect to offer
PX2026_051				6/3/2015	June 3, 2015 letter RE: Voluntary Removal	Depositions and Expert Reports and CVs	Expect to offer
PX2026_052					Birmingham Resurfacing System Surgical Techniques	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2026_054					Email exchange from Dave Telling to Aubrey Bill	Depositions and Expert Reports and CVs	Expect to offer
PX2026_060					Objections and Responses to Plaintiff's second Amended Notice	Depositions and Expert Reports and CVs	Expect to offer
PX2027				1/24/2020	Deposition of Gino Rouss	Depositions and Expert Reports and CVs	Expect to offer
PX2027_001	SN_BHR_MDL_0777009	SN_BHR_MDL_0777020		10/16/2009	Dr Charalambos Revelas email to Tim Band re: Under 65 Sep 09 Results	Depositions and Expert Reports and CVs	Expect to offer
PX2027_002	SN_BHR_MDL_0485245	SN_BHR_MDL_0485254			October 2009 Australian Registry Analysis	Depositions and Expert Reports and CVs	Expect to offer
PX2027_003	SN_BHR_MDL_0025239	SN_BHR_MDL_0025479			2010 BHR annual Report	Depositions and Expert Reports and CVs	Expect to offer
PX2027_004	SN_BHR_MDL_0959820	SN_BHR_MDL_0959830		11/19/2010	P Heeckt email	Depositions and Expert Reports and CVs	Expect to offer
PX2027_005	SN_BHR_MDL_1247640	SN_BHR_MDL_1247642		12/9/2010	L sprinkle email	Depositions and Expert Reports and CVs	Expect to offer
PX2027_006	SN_BHR_MDL_0025489	SN_BHR_MDL_0025498		7/5/2011	annual Report	Depositions and Expert Reports and CVs	Expect to offer
PX2027_007	SN_BHR_MDL_0929933	SN_BHR_MDL_0929934		1/26/2011	R Walter email (chain)	Depositions and Expert Reports and CVs	Expect to offer
PX2027_008	SN_BHR_MDL_0809906	SN_BHR_MDL_0809909		2/15/2011	G Rouss email (Chain)	Depositions and Expert Reports and CVs	Expect to offer
PX2027_009	SN_BHR_MDL_1212180	SN_BHR_MDL_1212185		5/11/2011	G Rouss email (Chain)	Depositions and Expert Reports and CVs	Expect to offer
PX2027_010	SN_BHR_MDL_0370212	SN_BHR_MDL_0370222		1/31/2012	J Soto email	Depositions and Expert Reports and CVs	Expect to offer
PX2027_011	SN_BHR_MDL_0885957	SN_BHR_MDL_0885961		3/16/2012	T Band email	Depositions and Expert Reports and CVs	Expect to offer
PX2027_012	SN_BHR_MDL_0025750	SN_BHR_MDL_0025760		5/4/2012	Annual Report	Depositions and Expert Reports and CVs	Expect to offer
PX2027_013	SN_BHR_MDL_0025935	SN_BHR_MDL_0025943		5/6/2013	annual Report	Depositions and Expert Reports and CVs	Expect to offer
PX2027_014	SN_BHR_MDL_1974211	SN_BHR_MDL_1974214		6/26/2012	D Telling email	Depositions and Expert Reports and CVs	Expect to offer
PX2027_015	SN_BHR_MDL_1861020			5/15/2012	J Jones email	Depositions and Expert Reports and CVs	Expect to offer
PX2028				1/15/2020	Depositon of Dave Telling 1/15/2020	Depositions and Expert Reports and CVs	Expect to offer
PX2028_001	SN_BHR_MDL_2092550	SN_BHR_MDL_2092550		1/17/2014	E-mail chain SN_BHR_MDL_2092550 through SN_BHR_MDL_2092550	Depositions and Expert Reports and CVs	Expect to offer
PX2028_002				3/2/2006	PMA approval letter	Depositions and Expert Reports and CVs	Expect to offer
PX2028_003	SN_BHR_MDL_0777009	SN_BHR_MDL_0777020		10/16/2009	E-mail attaching Australian Registry data 10/16/2009	Depositions and Expert Reports and CVs	Expect to offer
PX2028_004	SN_BHR_MDL_0959820	SN_BHR_MDL_0959830		11/19/2010	E-mail attaching Australian Registry data 11/19/2010	Depositions and Expert Reports and CVs	Expect to offer
PX2028_005	SN_BHR_MDL_0929933	SN_BHR_MDL_0929934		1/26/2011	E-mail chain 1/26/2011	Depositions and Expert Reports and CVs	Expect to offer
PX2028_006	SN_BHR_MDL_1041480	SN_BHR_MDL_1041482		6/9/2010	E-mail chain 6/9/2010	Depositions and Expert Reports and CVs	Expect to offer
PX2028_007	SN_BHR_MDL_1247640	SN_BHR_MDL_1247642		12/9/2010	E-mail chain 12/9/2010	Depositions and Expert Reports and CVs	Expect to offer
PX2028_008	SN_BHR_MDL_1859482	SN_BHR_MDL_1859486		10/1/2010	Letter to FDA	Depositions and Expert Reports and CVs	Expect to offer
PX2028_009	SN_BHR_MDL_1212180	SN_BHR_MDL_1212185		11/5/2011	E-mail chain 11/5/2011	Depositions and Expert Reports and CVs	Expect to offer
PX2028_010	SN_BHR_MDL_0370212	SN_BHR_MDL_0370222		1/31/2012	E-mail chain 1/31/2012	Depositions and Expert Reports and CVs	Expect to offer
PX2028_011	SN_BHR_MDL_0076584	SN_BHR_MDL_0076648		5/21/2015	Clinical Health Hazard Evaluation Form	Depositions and Expert Reports and CVs	Expect to offer
PX2028_012	SN_BHR_MDL_2187381	SN_BHR_MDL_2187405		11/2/2012	E-mail and presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2028_013	SN_BHR_MDL_1973326			1/10/2010	E-mail from Carolyn Shelton RE: BHR MoM warning	Depositions and Expert Reports and CVs	Expect to offer
PX2028_014	SN_BHR_MDL_0809015	SN_BHR_MDL_0809017		8/3/2011	E-mail attaching audit	Depositions and Expert Reports and CVs	Expect to offer
PX2028_015	SN_BHR_MDL_0347906	SN_BHR_MDL_0347912		3/16/2011	E-mail attaching Warwick Audit	Depositions and Expert Reports and CVs	Expect to offer
PX2028_016	SN_BHR_MDL_1296405	SN_BHR_MDL_1296411			CAPA Summary	Depositions and Expert Reports and CVs	Expect to offer
PX2028_017	SN_BHR_MDL_0457189	SN_BHR_MDL_0457288		8/31/2011	ii4sm Report	Depositions and Expert Reports and CVs	Expect to offer
PX2028_018	SN_BHR_MDL_0457288	SN_BHR_MDL_1300565			FDA EIR letter	Depositions and Expert Reports and CVs	Expect to offer
PX2029				6/13/2019	Deposition of Mark Waugh	Depositions and Expert Reports and CVs	Expect to offer
PX2029_001	SN_BHR_MDL_0781568	SN_BHR_MDL_0781634			PowerPoint titled "How to sell the BHR: Clinical Results, Competitive Targeting;"	Depositions and Expert Reports and CVs	Expect to offer
PX2029_002	SN_BHR_MDL_0031231			3/29/2011	One-page document referred to as a "Dear Doctor" letter;	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2029_00	SN_BHR_MDL_0104910	SN_BHR_MDL_0104944			PowerPoint presentation titled "2010 BHR Marketing Plan - There is only one BHR!"	Depositions and Expert Reports and CVs	Expect to offer
PX2029_00	SN_BHR_MDL_0031158	SN_BHR_MDL_0031165		Oct-08	Document titled "What does your hip patient want to get back to?"	Depositions and Expert Reports and CVs	Expect to offer
PX2029_00	SN_BHR_MDL_0031242				One-page document titled "Dropping the competition; 10+ years and still climbing strong."	Depositions and Expert Reports and CVs	Expect to offer
PX2029_00	SN_BHR_MDL_0113405	SN_BHR_MDL_0113406			email string dated Thursday, August 7, 2008 from Eric Hay to Shea Brown;	Depositions and Expert Reports and CVs	Expect to offer
PX2029_00	SN_BHR_MDL_0121976	SN_BHR_MDL_0121982			Document titled "The ten-year survival of the Birmingham hip resurfacing."	Depositions and Expert Reports and CVs	Expect to offer
PX2029_00	SN_BHR_MDL_0090564	SN_BHR_MDL_0090568			Email string dated Wednesday, March 20, 2013 from Peter Brooks to Pat Walter;	Depositions and Expert Reports and CVs	Expect to offer
PX2029_00	SN_BHR_MDL_0111695	SN_BHR_MDL_0111696			Email string dated Friday, June 13, 2008 from Mark Waugh to William Connelly, et al;	Depositions and Expert Reports and CVs	Expect to offer
PX2029_01	SN_BHR_MDL_0107473	SN_BHR_MDL_0107499			Document titled "Birmingham Hip Resurfacing System; Update and Growth Acceleration Plan."	Depositions and Expert Reports and CVs	Expect to offer
PX2029_01	SN_BHR_MDL_0090923	SN_BHR_MDL_0090927			Email string	Depositions and Expert Reports and CVs	Expect to offer
PX2029_012					Email from Craig J. Della Valle, MD to Mark Waugh dated September 21, 2007; no Bates number	Depositions and Expert Reports and CVs	Expect to offer
PX2029_01	SN_BHR_MDL_0079561	SN_BHR_MDL_0079564			Email string	Depositions and Expert Reports and CVs	Expect to offer
PX2029_014	Hutchens(SN)-0048403	Hutchens(SN)-0048404			Email from Mark Waugh to Tim Bourne, et al	Depositions and Expert Reports and CVs	Expect to offer
PX2029_01	SN_BHR_MDL_0457289	SN_BHR_MDL_0457299		8/31/2011	Document titled "ii4sm."	Depositions and Expert Reports and CVs	Expect to offer
PX2029_01	SN_BHR_MDL_0457189	SN_BHR_MDL_0457288		8/31/2011	100-page document titled "Medical Device Reporting and Safety Requirement Analysis and Global Diagnostic."	Depositions and Expert Reports and CVs	Expect to offer
PX2029_01	SN_BHR_MDL_0113427	SN_BHR_MDL_0113429			Email string	Depositions and Expert Reports and CVs	Expect to offer
PX2030				1/22/2020	Deposition of Tim Band	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_1972939			7/19/2011	July 19th, 2011 Email	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_2090618			3/31/2014	March 31, 2014 Email	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_1868732			10/12/2011	October 12, 2011 Email	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_1859407			3/12/2012	March 12, 2012 Email	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_0185327			1/16/2006	January 16, 2006 Email Bates No. SN_BHR_MDL_0185327 Email, Bates No. 1216489	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_1976227				R-3 Metal Liners Phase-out PowerPoint	Depositions and Expert Reports and CVs	Expect to offer
PX2030_00	SN_BHR_MDL_1976031			8/24/2007	August 24, 2007 Email	Depositions and Expert Reports and CVs	Expect to offer
PX2030_01	SN_BHR_MDL_0281265			6/27/2012	June 27-28, 2012 Public Meeting Presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2030_01	SN_BHR_MDL_1835277			3/8/2012	March 8th, 2012 MoM R3 Metal Liners and BH Modular Heads	Depositions and Expert Reports and CVs	Expect to offer
PX2030_01	SN_BHR_MDL_2187381				2012 Email/BHR Project PowerPoint	Depositions and Expert Reports and CVs	Expect to offer
PX2030_01	SN_BHR_MDL_0457189			8/31/2011	August 31, 2011 Medical Device Reporting and Safety Requirements Analysis and Global Diagnostic	Depositions and Expert Reports and CVs	Expect to offer
PX2030_01	SN_BHR_MDL_0457289			8/31/2011	August 31, 2011 II4SM Smith & Nephew Medical Device Safety Project PowerPoint	Depositions and Expert Reports and CVs	Expect to offer
PX2030_01	SN_BHR_MDL_1500058				II4SM Memos	Depositions and Expert Reports and CVs	Expect to offer
PX2031				8/28/2020	Deposition of Dave Telling	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2031_001	SN_BHR_MDL_3115157			11/8/2005	email from Rachel Parkin to Dave Telling re: FDA Audit at SNOL	Depositions and Expert Reports and CVs	Expect to offer
PX2031_002	SN_BHR_MDL_1792891	SN_BHR_MDL_1792894		10/8/2008	Email from Mark Waugh to Andrew Holman re: Questions ahead of QBR meetings	Depositions and Expert Reports and CVs	Expect to offer
PX2031_003	SN_BHR_MDL_0951239	SN_BHR_MDL_0951247		5/8/2012	Email from Dave Telling to Andy Weymann re: NJRR Data Request 858	Depositions and Expert Reports and CVs	Expect to offer
PX2031_004	SN_BHR_MDL_3355406			9/3/2010	Email from Joseph Devivo to John Soto re: Ronan Treacy	Depositions and Expert Reports and CVs	Expect to offer
PX2031_005	SN_BHR_MDL_2235576			5/31/2011	Email from Dave Telling to Bill Aubrey re: BHR Ad hoc data request AJJR	Depositions and Expert Reports and CVs	Expect to offer
PX2031_006	SN_BHR_MDL_3516599			12/16/2011	Email from Peter Heeckt to Thomas Finnerty re: Follow up	Depositions and Expert Reports and CVs	Expect to offer
PX2031_007	SN_BHR_MDL_3401280	SN_BHR_MDL_3401281		9/7/2005	Email from Dave Telling to Rafia Perveen-Butt re: Color Chartstiks for BHR	Depositions and Expert Reports and CVs	Expect to offer
PX2031_008	SN_BHR_MDL_3402144	SN_BHR_MDL_3402145		12/9/2005	Email from Russell Darley to Derek Johnston re: BHR Color Chartstick Labels	Depositions and Expert Reports and CVs	Expect to offer
PX2032				10/24/2018	Deposition of Blair Fraser	Depositions and Expert Reports and CVs	Expect to offer
PX2032_001					Notice of Deposition	Depositions and Expert Reports and CVs	Expect to offer
PX2032_002					Letter to Jasper Ward from David O'Quinn dated October 2, 2018	Depositions and Expert Reports and CVs	Expect to offer
PX2032_003					Notes/Timeline	Depositions and Expert Reports and CVs	Expect to offer
PX2032_004					Smith & Nephew, Inc. Clinical Health Hazard Evaluation Form	Depositions and Expert Reports and CVs	Expect to offer
PX2032_005					Class 2 Device Recall S&N BHR Femoral Head	Depositions and Expert Reports and CVs	Expect to offer
PX2032_006					PMA Approval Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2032_007					Apples to Oranges Document	Depositions and Expert Reports and CVs	Expect to offer
PX2032_008					Urgent Medical Device Market Removal letter dated June 3, 2015	Depositions and Expert Reports and CVs	Expect to offer
PX2032_009					Statement regarding BHR System dated 4 June 2015	Depositions and Expert Reports and CVs	Expect to offer
PX2033				1/28/2021	Deposition of Mark Waugh	Depositions and Expert Reports and CVs	Expect to offer
PX2033_001	SN_BHR_MDL_0619742	SN_BHR_MDL_0619804			Birmingham Hip Resurfacing 2008 Marketing Planning	Depositions and Expert Reports and CVs	Expect to offer
PX2033_002	SN_BHR_MDL_1792891	SN_BHR_MDL_1792894		10/8/2008	Email from Mark Waugh to Andrew Holmann re: Questions ahead of QBR Meetings	Depositions and Expert Reports and CVs	Expect to offer
PX2033_003	SN_BHR_MDL_3402611	SN_BHR_MDL_3402625		10/15/2008	Email from Terrance Smith to Mark Waugh re: Mom THA	Depositions and Expert Reports and CVs	Expect to offer
PX2033_004	SN_BHR_MDL_1980763	SN_BHR_MDL_1980765		4/15/2009	Email from Jason Jones to Joseph Devivo re: BH Mod Head 510k Retro Clinical Study Update- Meeting Minutes	Depositions and Expert Reports and CVs	Expect to offer
PX2033_005	SN_BHR_MDL_3202849	SN_BHR_MDL_3202852		4/23/2009	Email from Jordan Sylvester to Scott Smith re: R3 Off-label Promotion	Depositions and Expert Reports and CVs	Expect to offer
PX2033_006	SN_BHR_MDL_3355406			9/3/2010	Email from Joseph Devivo to John Soto re: Ronan Treacy	Depositions and Expert Reports and CVs	Expect to offer
PX2034				6/19/2019	Deposition of Tom Troup	Depositions and Expert Reports and CVs	Expect to offer
PX2034_001	SN_BHR_MDL_0137824	SN_BHR_MDL_0137831		5/20/2010	E-mail chain, first e-mail from Tom Troup dated 5/20/10	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2034_002	MARION-0031239	MARION-0031241			Letter to "BHR Surgeon" from Top Troup, Tim Bourne, Blair Deweese, and Sean Cranston	Depositions and Expert Reports and CVs	Expect to offer
PX2034_003				5/3/2010	Smith & Nephew corporate press release, "New data reinforces the proven safety and effectiveness of the Birmingham hip resurfacing system."	Depositions and Expert Reports and CVs	Expect to offer
PX2034_004	SN_BHR_MDL_0759597	SN_BHR_MDL_0759602		10/22/2009	Email chain, first email from Pilar Mena	Depositions and Expert Reports and CVs	Expect to offer
PX2034_005	SN_BHR_MDL_0513648			7/18/2013	Email from Tom Troup	Depositions and Expert Reports and CVs	Expect to offer
PX2034_006	SN_BHR_MDL_0255713	SN_BHR_MDL_0255715		5/12/2015	Email chain, first email from Greg Adams	Depositions and Expert Reports and CVs	Expect to offer
PX2034_007					"Birmingham Hip Resurfacing (BHR) System Important Medical Information, Warnings and Precautions"	Depositions and Expert Reports and CVs	Expect to offer
PX2035				8/14/2019	Deposition of Branko Kopjar	Depositions and Expert Reports and CVs	Expect to offer
PX2035_001				3/3/2013	Report prepared by Dr. Kopjar	Depositions and Expert Reports and CVs	Expect to offer
PX2035_002				4/6/2015	Report by Dr. Kopjar	Depositions and Expert Reports and CVs	Expect to offer
PX2035_003				6/28/2016	report from Dr. Kopjar	Depositions and Expert Reports and CVs	Expect to offer
PX2035_004				9/8/2012	Email from Kopjar to Weymann	Depositions and Expert Reports and CVs	Expect to offer
PX2035_005					unpublished BHR/BHR Total conventional Hip Repair	Depositions and Expert Reports and CVs	Expect to offer
PX2035_006					Email from Weymann to Kopjar	Depositions and Expert Reports and CVs	Expect to offer
PX2035_007				12/28/2013	Email from Kopjar to Weyman regarding New Nice Compliance	Depositions and Expert Reports and CVs	Expect to offer
PX2035_008					Email string regarding NUREW data	Depositions and Expert Reports and CVs	Expect to offer
PX2035_009					Email string regarding BHR Annual Report	Depositions and Expert Reports and CVs	Expect to offer
PX2036				7/22/2020	Deposition of Dr. Michael Dayton	Depositions and Expert Reports and CVs	Expect to offer
PX2036_001					NOD of Michael Dayton, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2036_002	BHR_MDL_MEDICALS_Carp enterC_000008	BHR_MDL_MEDICALS_Carp enterC_000009		10/17/2007	Encounter Note	Depositions and Expert Reports and CVs	Expect to offer
PX2036_003					Birmingham Hip Resurfacing (BHR) System, Important Medical Information	Depositions and Expert Reports and CVs	Expect to offer
PX2036_004	BHR_MDL_MEDICALS_Carp enterC_000009	BHR_MDL_MEDICALS_Carp enterC_000010		11/14/2007	Encounter Note	Depositions and Expert Reports and CVs	Expect to offer
PX2036_005	BHR_MDL_MEDICALS_Carp enterC_000012	BHR_MDL_MEDICALS_Carp enterC_000014		11/30/2007	Operative Report	Depositions and Expert Reports and CVs	Expect to offer
PX2036_006	BHR_MDL_MEDICALS_Carp enterC_000306	BHR_MDL_MEDICALS_Carp enterC_000307		12/1/2007	Carpenter Medical Records	Depositions and Expert Reports and CVs	Expect to offer
PX2036_007	BHR_MDL_MEDICALS_Carp enterC_000020	BHR_MDL_MEDICALS_Carp enterC_000021		10/5/2009	Encounter notes	Depositions and Expert Reports and CVs	Expect to offer
PX2036_008	CARPENTER_000423	CARPENTER_000425			University of Colorado Hospital, Consent to Medical Procedure (surgery, Diagnostic, Therapeutic, Blood, sedation)	Depositions and Expert Reports and CVs	Expect to offer
PX2036_009	BHR_MDL_MEDICALS_Carp enterC_000021	BHR_MDL_MEDICALS_Carp enterC_000025		10/28/2009	Operative Report	Depositions and Expert Reports and CVs	Expect to offer
PX2036_010	BHR_MDL_MEDICALS_Carp enterC_000028	BHR_MDL_MEDICALS_Carp enterC_000029		10/4/2010	Encounter Notes	Depositions and Expert Reports and CVs	Expect to offer
PX2036_011	CARPENTER_000427				Analysis of Hip Function	Depositions and Expert Reports and CVs	Expect to offer
PX2036_012	BHR_MDL_MEDICALS_Carp enterC_000131	BHR_MDL_MEDICALS_Carp enterC_000132		1/19/2014	MRI	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2036_01	BHR_MDL_MEDICALS_CarpenterC_000035	BHR_MDL_MEDICALS_CarpenterC_000038			Operative Report, Right Hip Replacement	Depositions and Expert Reports and CVs	Expect to offer
PX2036_01	PPD_SN_BHR_MDL_CarpenterC_000014	PPD_SN_BHR_MDL_CarpenterC_000017			Operative Note, Left Hip Replacement	Depositions and Expert Reports and CVs	Expect to offer
PX2036_01	BHR_MDL_MEDICALS_CarpenterC_000083	BHR_MDL_MEDICALS_CarpenterC_000084		8/18/2020	Encounter Notes	Depositions and Expert Reports and CVs	Expect to offer
PX2036_01	SN_BHR_MDL_0975377				Request 408, Primary Total Hip Replacement in Patients <65 Years of Age	Depositions and Expert Reports and CVs	Expect to offer
PX2036_01	SN_BHR_MDL_0485243	SN_BHR_MDL_0485244		10/1/2009	Confidential Email chain between Damon Mogridge, Tim Band, and Dr. Charalambos Revelas, Subject: AJR Data	Depositions and Expert Reports and CVs	Expect to offer
PX2036_018					CV of Michael Dayton, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2037				7/9/2020	Deposition of Craig Della Valle, MD	Depositions and Expert Reports and CVs	Expect to offer
PX2037_00	SN_BHR_MDL_0077129				Training Seminar	Depositions and Expert Reports and CVs	Expect to offer
PX2037_00	SN_BHR_MDL_0077799				Master's Course Agenda	Depositions and Expert Reports and CVs	Expect to offer
PX2037_00	SN_BHR_MDL_0747204	SN_BHR_MDL_0747231			BHR Registry Data	Depositions and Expert Reports and CVs	Expect to offer
PX2037_004					Operative Report Marla Hand	Depositions and Expert Reports and CVs	Expect to offer
PX2037_005					Revision Operative Note Marla Hand	Depositions and Expert Reports and CVs	Expect to offer
PX2037_006					Lab Values Marla Hand	Depositions and Expert Reports and CVs	Expect to offer
PX2037_00	SN_BHR_MDL_2797457				Memo: Revision File	Depositions and Expert Reports and CVs	Expect to offer
PX2037_008				6/25/2007	Brochure	Depositions and Expert Reports and CVs	Expect to offer
PX2037_00	SN_BHR_MDL_0543436	SN_BHR_MDL_0543441			Complaint Details Report	Depositions and Expert Reports and CVs	Expect to offer
PX2037_01	SN_BHR_MDL_2297875	SN_BHR_MDL_2297878			Dear Doctor Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2037_011					Joint Replacement Registry	Depositions and Expert Reports and CVs	Expect to offer
PX2037_012					Medical Records Marla Hand	Depositions and Expert Reports and CVs	Expect to offer
PX2037_013					Medical Records- Marla Hand	Depositions and Expert Reports and CVs	Expect to offer
PX2038				2/6/2020	Deposition of Jack Bowling	Depositions and Expert Reports and CVs	Expect to offer
PX2038_001					Smith & Nephew Presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2038_002					Smith & Nephew Marketing Piece	Depositions and Expert Reports and CVs	Expect to offer
PX2038_003					Birmingham Hip Resurfacing system patient guide	Depositions and Expert Reports and CVs	Expect to offer
PX2038_004					Defendant's Fact Sheet for BHR Track Cases	Depositions and Expert Reports and CVs	Expect to offer
PX2038_005a					Form Letter, Bates number 76422	Depositions and Expert Reports and CVs	Expect to offer
PX2038_005b				10/8/2008	10/8/2008 email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2038_006a					form letter, Bates number 76710	Depositions and Expert Reports and CVs	Expect to offer
PX2038_006b				5/1/2009	May 1st, 2009 Dear Doctor Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2038_006c				9/30/2009	Request 408 of 9/30/3009	Depositions and Expert Reports and CVs	Expect to offer
PX2038_007a				6/3/2010	6/3/2010 Smith & Nephew document, bates number 76708	Depositions and Expert Reports and CVs	Expect to offer
PX2038_007b					email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2038_007c				11/19/2010	11/19/2010 Email with attachment	Depositions and Expert Reports and CVs	Expect to offer
PX2038_008a				3/29/2011	3/29/2011 Dear Doctor Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2038_008b					2011 Australian Registry Annual Report Resurfacing Section	Depositions and Expert Reports and CVs	Expect to offer
PX2038_008c				4/15/2011	4/15/2011 Pynsent to Telling and Band	Depositions and Expert Reports and CVs	Expect to offer
PX2038_008d				4/29/2011	4/29/2011 Bowling medical record to Paula Redick	Depositions and Expert Reports and CVs	Expect to offer
PX2038_009a				3/9/2012	3/9/2012 Dear Doctor Letter re: British Medical journal story	Depositions and Expert Reports and CVs	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX2038_009b				1/31/2012	1/31/2012 John Soto email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2038_009c					Request 858	Depositions and Expert Reports and CVs	Expect to offer
PX2038_009d				3/20/2012	3/20/2012 Operative report	Depositions and Expert Reports and CVs	Expect to offer
PX2038_010					Redick Medical records	Depositions and Expert Reports and CVs	Expect to offer
PX2038_011				2/3/2020	2/3/2020 Ward letter to Kim Moore	Depositions and Expert Reports and CVs	Expect to offer
PX2038_012				10/1/2010	October 2010 Smith & Nephew Label	Depositions and Expert Reports and CVs	Expect to offer
PX2038_013					Pages from Paula Redick Deposition	Depositions and Expert Reports and CVs	Expect to offer
PX2039				1/15/2020	Deposition of Dave Telling	Depositions and Expert Reports and CVs	Expect to offer
PX2039_001	SN_BHR_MDL_2092550	SN_BHR_MDL_2092553			Email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2039_002					PMA Approval Letter	Depositions and Expert Reports and CVs	Expect to offer
PX2039_003	SN_BHR_MDL_0777009	SN_BHR_MDL_0777020			Email attaching Australian Registry Data	Depositions and Expert Reports and CVs	Expect to offer
PX2039_004	SN_BHR_MDL_0959820	SN_BHR_MDL_0959830			Email attaching Australian Registry Data	Depositions and Expert Reports and CVs	Expect to offer
PX2039_005	SN_BHR_MDL_0929933	SN_BHR_MDL_0929934			Email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2039_006	SN_BHR_MDL_1041480	SN_BHR_MDL_1041482			Email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2039_007	SN_BHR_MDL_1247640	SN_BHR_MDL_1247642			Email chain	Depositions and Expert Reports and CVs	Expect to offer
PX2039_008	SN_BHR_MDL_1859482	SN_BHR_MDL_1859486		10/1/2010	Letter to FDA	Depositions and Expert Reports and CVs	Expect to offer
PX2039_009	SN_BHR_MDL_1212180	SN_BHR_MDL_1212185		11/5/2011	E-mail chain 11/5/2011	Depositions and Expert Reports and CVs	Expect to offer
PX2039_010	SN_BHR_MDL_0370212	SN_BHR_MDL_0370222		1/31/2012	E-mail chain 1/31/2012	Depositions and Expert Reports and CVs	Expect to offer
PX2039_011	SN_BHR_MDL_0076584	SN_BHR_MDL_0076648		5/21/2015	Clinical Health Hazard Evaluation Form	Depositions and Expert Reports and CVs	Expect to offer
PX2039_012	SN_BHR_MDL_2187381	SN_BHR_MDL_2187405		11/2/2012	E-mail and presentation	Depositions and Expert Reports and CVs	Expect to offer
PX2039_013	SN_BHR_MDL_1973326			1/10/2010	E-mail from Carolyn Shelton RE: BHR MoM warning	Depositions and Expert Reports and CVs	Expect to offer
PX2039_014	SN_BHR_MDL_0809015	SN_BHR_MDL_0809017		8/3/2011	E-mail attaching audit	Depositions and Expert Reports and CVs	Expect to offer
PX2039_015	SN_BHR_MDL_0347906	SN_BHR_MDL_0347912		3/16/2011	E-mail attaching Warwick Audit	Depositions and Expert Reports and CVs	Expect to offer
PX2039_016	SN_BHR_MDL_1296405	SN_BHR_MDL_1296411			CAPA Summary	Depositions and Expert Reports and CVs	Expect to offer
PX2039_017	SN_BHR_MDL_0457189	SN_BHR_MDL_0457288		8/31/2011	ii4sm Report	Depositions and Expert Reports and CVs	Expect to offer
PX2039_018	SN_BHR_MDL_0457288	SN_BHR_MDL_1300565			FDA EIR letter	Depositions and Expert Reports and CVs	Expect to offer
PX2040				8/16/2019	Deposition of Blair Deweese	Depositions and Expert Reports and CVs	Expect to offer
PX2040_001					LinkedIn Printout	Depositions and Expert Reports and CVs	Expect to offer
PX2040_002	SN_BHR_MDL_0085296				Agenda for a BHR Training Course	Depositions and Expert Reports and CVs	Expect to offer
PX2040_003	SN_BHR_MDL_0218095	SN_BHR_MDL_0218107			E-Mail Chain	Depositions and Expert Reports and CVs	Expect to offer
PX2040_004	SN_BHR_MDL_0113291				E-Mail from Mark Waugh	Depositions and Expert Reports and CVs	Expect to offer
PX2040_005	SN_BHR_MDL_0112763	SN_BHR_MDL_0112765			E-Mail Chain From Blair DeWeese to Dr. Anderson	Depositions and Expert Reports and CVs	Expect to offer
PX2040_006	SN_BHR_MDL_0386348				E-Mail from Mark Waugh	Depositions and Expert Reports and CVs	Expect to offer
PX2040_007	SN_BHR_MDL_0385477	SN_BHR_MDL_0385481			E-Mail from Karen Veasey	Depositions and Expert Reports and CVs	Expect to offer
PX2040_008	SN_BHR_MDL_0112252	SN_BHR_MDL_0112285			E-Mail from Pat Makris	Depositions and Expert Reports and CVs	Expect to offer
PX2040_009	SN_BHR_MDL_0217960	SN_BHR_MDL_0217962			E-Mail Chain with Subject BHR and VS	Depositions and Expert Reports and CVs	Expect to offer
PX2040_010	SN_BHR_MDL_0031239	SN_BHR_MDL_0031241			Letter from Sean Cranston, Tim Bourne, and Tom Troup	Depositions and Expert Reports and CVs	Expect to offer
PX2040_011	SN_BHR_MDL_0868530	SN_BHR_MDL_0868579			2009 BHR US Marketing Trends and Plan	Depositions and Expert Reports and CVs	Expect to offer
PX5001	SN_BHR_MDL_0172365	SN_BHR_MDL_0172384		2007	2007 S&N Marketing	Marketing and advertisement	Expect to offer
PX5002	SN_BHR_MDL_1277497	SN_BHR_MDL_1277531		2008	2008 SN Makes Fun of Fat People and Surgeons P.16 and 17	Marketing and advertisement	Expect to offer
PX5003	SN_BHR_MDL_0628936	SN_BHR_MDL_0628939		2008	2008 Brochure	Marketing and advertisement	Expect to offer
PX5004	SN_BHR_MDL_0628940	SN_BHR_MDL_0628943		2009	2009 Brochure	Marketing and advertisement	Expect to offer
PX5005	SN_BHR_MDL_0485180	SN_BHR_MDL_0485192		3/8/2010	Marketing PowerPoint- The Future of Resurfacing; Biz Strategy- Differentiate MOM	Marketing and advertisement	Expect to offer
PX5006	SN_BHR_MDL_0076421			1/1/2011	BHR Brochure continued	Marketing and advertisement	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX5007	SN_BHR_MDL_0076419	SN_BHR_MDL_0076420		1/1/2011	BHR Brochure	Marketing and advertisement	Expect to offer
PX5008	SN_BHR_MDL_0104910	SN_BHR_MDL_0104944			2010 BHR Marketing Plan	Marketing and advertisement	Expect to offer
PX5009	SN_BHR_MDL_0618967	SN_BHR_MDL_0618968			S&N Sales Pitch Marketing Documents	Marketing and advertisement	Expect to offer
PX5010	SN_BHR_MDL_0386013	SN_BHR_MDL_0110233			Take the Gloves Off Marketing Campaign	Marketing and advertisement	Expect to offer
PX5011	SN_BHR_MDL_3099023	SN_BHR_MDL_3099029			Marketing to Consumers, "Re: Driving Patients to Reconsider BHR"	Marketing and advertisement	Expect to offer
PX5012					BHR: A Patient's Guide	Marketing and advertisement	Expect to offer
PX9000				10/25/2019	Deposition of Phyliss Mosca	Case Specific	Expect to offer
PX9000_001					Notice of Deposition; Mosca Depo Exhibit 1	Case Specific	Expect to offer
PX9000_002					Plaintiff Fact sheet responses; Mosca Depo Exhibit 2	Case Specific	Expect to offer
PX9000_003					Operative Note, Mosca Depo Exhibit 3	Case Specific	Expect to offer
PX9000_004					Informed Consent, Mosca Depo Exhibit 4	Case Specific	Expect to offer
PX9000_005					Dr. Boucher's orthopedic clinic note; Mosca Depo Exhibit 5	Case Specific	Expect to offer
PX9000_006					February 28, 2017 medical record; Mosca Depo Exhibit 6	Case Specific	Expect to offer
PX9000_007					December 29, 2011 Bay West Endocrinology Associates; Mosca Depo Exhibit 7	Case Specific	Expect to offer
PX9000_008					Facebook page; Mosca Depo Exhibit 8	Case Specific	Expect to offer
PX9000_009					Facebook post; Mosca Depo Exhibit 9	Case Specific	Expect to offer
PX9000_010					Facebook post; Mosca Depo Exhibit 10	Case Specific	Expect to offer
PX9000_011					Labcorp Patient Record; Mosca depo Exhibit 11	Case Specific	Expect to offer
PX9000_012					April 17, 2013 medical record; Mosca Depo Exhibit 12	Case Specific	Expect to offer
PX9000_013					June 5, 2013 medical record; Mosca Depo Exhibit 13	Case Specific	Expect to offer
PX9001					Deposition of Vito Mosca	Depositions and Expert Reports and CVs	Expect to offer
PX9001_001					Ulla Popken Termination Letter; Exhibit 1 to Vito Mosca Depo	Depositions and Expert Reports and CVs	Expect to offer
PX9002			23933		Sixth Amended Plaintiff Fact Sheet	Case Specific	Expect to offer
PX9003			22435		Fifth Amended Defendant Fact Sheet	Case Specific	Expect to offer
PX9004			23031		Insight Counseling and Consulting	Case Specific	Expect to offer
PX9005			22801		Medstar Health	Case Specific	Expect to offer
PX9006			22756		Stacy Stearns Therapy Notes	Case Specific	Expect to offer
PX9007			22457		MedStar Missing Records	Case Specific	Expect to offer
PX9008			22269		Advanced Radiology	Case Specific	Expect to offer
PX9009			22130		Medstar Health Orthopedics Full Records	Case Specific	Expect to offer
PX9010			22128		Walgreens Insurance Records	Case Specific	Expect to offer
PX9011			22060		CVS Pharmacy Records	Case Specific	Expect to offer
PX9012			21769		Enterprise RX Pharmacy Records	Case Specific	Expect to offer
PX9013			21635		Bay West Endocrinology	Case Specific	Expect to offer
PX9014			21628		Shoptite Pharmacy Records	Case Specific	Expect to offer
PX9015			21557		Ideal Endocrinology	Case Specific	Expect to offer
PX9016			21517		Karing Actions Bring Solutions client summary	Case Specific	Expect to offer
PX9017			21459		Ideal Endocrinology Billing	Case Specific	Expect to offer
PX9018			21297		Medstar Orthopedic Notes	Case Specific	Expect to offer
PX9019			21296		Medstar Orthopedics Med Recs	Case Specific	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX9020			21274		Electronic Medical Interpretation- Thermography	Case Specific	Expect to offer
PX9021			20994		GBMC Records	Case Specific	Expect to offer
PX9022			20813		Bay West Endocrinology	Case Specific	Expect to offer
PX9023			20416		Fifth Amended Plaintiff Fact Sheet	Case Specific	Expect to offer
PX9024			18716		GBMC- Dr Mary Craig Buckholtz	Case Specific	Expect to offer
PX9025			18715		Dr Corina Fratila	Case Specific	Expect to offer
PX9026			18208		Dr Lynn Yurkofsky Podiatric Exam and Treatment Report	Case Specific	Expect to offer
PX9027			18179		MedStar Orthopedics Billing Records	Case Specific	Expect to offer
PX9028			17992		Shoprite Pharmacy Records	Case Specific	Expect to offer
PX9029			17633		Fourth Amended Defendant Fact Sheet	Case Specific	Expect to offer
PX9030			17585		Upper Chesapeake Cardiology Associates	Case Specific	Expect to offer
PX9031			17574		Third Amended Defendant Fact Sheet	Case Specific	Expect to offer
PX9032			17426		Dr. Richard Levine Billing Records	Case Specific	Expect to offer
PX9033			17425		Dr. Adriene Cometa Medical Records	Case Specific	Expect to offer
PX9034			17413		Medstar Ortho Dr. Levine Records	Case Specific	Expect to offer
PX9035			17412		Advanced Radiology Billing Records	Case Specific	Expect to offer
PX9036			17411		Labcorp Records	Case Specific	Expect to offer
PX9037			17034		GBMC Billing Records	Case Specific	Expect to offer
PX9038			17033		GBMC Medical Records	Case Specific	Expect to offer
PX9039			17032		Medical Health Group Records	Case Specific	Expect to offer
PX9040			17031		Patient First Medical Records	Case Specific	Expect to offer
PX9041			17030		Enterprise RX Pharmacy Records	Case Specific	Expect to offer
PX9042			16944		Second Amended Defendant Fact Sheet	Case Specific	Expect to offer
PX9043			16936		LabCorp Billing Records	Case Specific	Expect to offer
PX9044			16935		Dr. Endrika Hinton Billing Records	Case Specific	Expect to offer
PX9045			16934		Dr. Benjamin Bernstein Dermatology Medical Records	Case Specific	Expect to offer
PX9046			16933		Dr. Bernstein Dermatology Billing Records	Case Specific	Expect to offer
PX9047			16795		Optum RX Pharmacy Records	Case Specific	Expect to offer
PX9048			16794		Enterprise RX Pharmacy Records	Case Specific	Expect to offer
PX9049			16793		Dr. Boucher Office Notes	Case Specific	Expect to offer
PX9050			16715		GBMC Records	Case Specific	Expect to offer
PX9051			16713		Labcorp Records	Case Specific	Expect to offer
PX9052			16620		Bay Counseling Services	Case Specific	Expect to offer
PX9053			16484		Dr. Khouzami Billing Records	Case Specific	Expect to offer
PX9054			16483		Endoscopic Microsurgery Associates, PA	Case Specific	Expect to offer
PX9055			16290		Medstar Orthopedic (Additional Med)	Case Specific	Expect to offer
PX9056			15820		Advanced Radiology	Case Specific	Expect to offer
PX9057			15818		GBMC Endrika Hinton Med Recs	Case Specific	Expect to offer
PX9058			15817		Bernstein and Robinson	Case Specific	Expect to offer
PX9059			15816		GBMC UroGynecology	Case Specific	Expect to offer
PX9060			15815		Medstar Orthopedics Dr. Levine	Case Specific	Expect to offer
PX9061			15812		Medstar Union Memorial Hopsital Medical Records	Case Specific	Expect to offer
PX9062			15810		Agape Physical Thrapy Medical Records	Case Specific	Expect to offer
PX9063			15809		Medstar Orthopedics Dr. Levine office/clinic notes	Case Specific	Expect to offer

Exhibit Number	BegBatesNumber	EndBatesNumber	Alt Bates	Dates	Title (description)	Category	Using at Trial?
PX9064			15808		Bay West Endocrinology	Case Specific	Expect to offer
PX9065			15807		MedStar Orthopedics Institute	Case Specific	Expect to offer
PX9066			15806		Jarrettsville Family Care Medical Records	Case Specific	Expect to offer
PX9067			15654		Medstar Billing Records	Case Specific	Expect to offer
PX9068			15653		Medstar Health Billing Records	Case Specific	Expect to offer
PX9069			15652		Agape Physical Therapy Billing Records	Case Specific	Expect to offer
PX9070			15540		Fourth Amended Plaintiff Fact Sheet	Case Specific	Expect to offer
PX9071			15533		Patient First Medical Records	Case Specific	Expect to offer
PX9072			15434		Ideal Endocrinology billing	Case Specific	Expect to offer
PX9073			15298		Dr. Terry Pritt	Case Specific	Expect to offer
PX9074			15135		Medstar Union Memorial Hopsital Medical Records	Case Specific	Expect to offer
PX9075			15134		Endrika Hinton Medical Records	Case Specific	Expect to offer
PX9076			15133		Dr. Boucher Records	Case Specific	Expect to offer
PX9077			15100		Dr. Philip Halstead	Case Specific	Expect to offer
PX9078			15098		Agape Physical Therapy Records	Case Specific	Expect to offer
PX9079			15040		First Amended Defendant Fact Sheet	Case Specific	Expect to offer
PX9080			14904		Labcorp Records	Case Specific	Expect to offer
PX9081			14758		Enterprise RX Pharmacy Records	Case Specific	Expect to offer
PX9082			14757		Advanced Radiology	Case Specific	Expect to offer
PX9083			14118		Third Amended Plaintiff Fact Sheet	Case Specific	Expect to offer
PX9084			10933		Second Amended Plaintiff Fact Sheet	Case Specific	Expect to offer
PX9085			9813		First Amended Plaintiff Fact Sheet	Case Specific	Expect to offer
PX9086			8139		Plaintiff Fact Sheet	Case Specific	Expect to offer

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

IN RE: SMITH & NEPHEW
BIRMINGHAM HIP RESURFACING
(BHR) HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

MDL No. 2775

Master Docket No. 1:17-md-2775

JUDGE CATHERINE C. BLAKE

THIS DOCUMENT RELATES TO:

Phylliss Mosca v. Smith & Nephew, Inc.
No. 1:18-cv-03520

Exhibit B – PLAINTIFFS’ ANTICIPATED WITNESS LIST

<u>Witness Name</u>	<u>Address</u>	<u>Expected or Possible Witness?</u>
Phylliss Mosca	1693 Ingleside Road Forest Hill, MD 21050	Expected
Vito Mosca	1693 Ingleside Road Forest Hill, MD 21050	Expected
Audra Kristiansen	4605 Gunston Place Raleigh, NC 27612	Possible
Dr. Henry Boucher	3333 N Calvert Street, Suite 400 Baltimore, MD 21218	Expected
Terence Powers	Westminster, MD	Expected
Marty Kuser	21334 Ridge Road Freeland, MD 21053	Expected
Dr. Aaron James	720 Rutland Avenue, Room 524A Ross Research Building Baltimore, MD 21205	Expected
Dr. Yadin David	1111 Hermann Drive, Suite 12B Houston, TX 77004	Expected
L. Scott Marshall	3320 McLemore Drive Pensacola, FL 32514	Expected
Dr. Jeffrey Shapiro	142 Andover Road Roslyn Heights, NY 11577	Expected
Dr. Larry Spears	409 Lismore Street Hutto, TX 78634	Expected
Mari Truman	221 N. Union Street Warsaw, IN 46580	Expected

John Blair Fraser		Expected
Carolyn Shelton		Possible
Dave Telling		Expected
Andy Weymann		Expected
Dr. Peter Heeckt		Expected
Naseem Amin		Expected
Branko Kopjar		Possible
Mark Waugh		Expected
Dr. Donna-Bea Tillman		Expected
Dr. Michael Mont		Expected
Tim Band		Expected
Gino Rouss		Expected
Dr. Marc Hungerford		Expected
Dr. Craig Della Valle		Expected
Dr. Jack Wayne Bowling		Expected
Dr. Stephen Graves		Expected
Dr. Michael Dayton		Expected
Stephanie Pritchard		Possible
Dr. Ariane Cometa		Possible
Dr. Mary-Craig Buckholtz		Possible
Dr. Richard Levine		Possible
Dr. Corina Fratila		Possible
Dr. Terry Pritt		Possible
Smith & Nephew Corporate Representative		Expected
Tim Troup		Expected
Blair DeWeese		Possible
David Archer		Possible
Marc Blanc		Possible
Tim Bourne		Possible
Tunja Carter		Possible
John Clausen		Possible
Michael Cooper		Possible
Lindsay D'Alessandro		Possible
Blaire DeWeese		Possible
Dr. Thorsten Seyler		Possible
Amir Kamali		Possible
Andrew Hardison		Possible

Colleen Smith		Possible
Deidre Kramer		Possible
Joan Overhauser		Possible
Kevin Bozic		Possible
Marcos Velez-Duran		Possible
Russell Walter		Possible

Dated: August 27, 2021

Respectfully Submitted,

/s/ Robert K. Jenner

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Counsel for Plaintiffs

Exhibit C - Smith & Nephew's Exhibit List

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0001		20190122_BHR_MDL_PFS_MoscaP_000001-057.pdf		Likely to Use
DX0002		20190225_BHR_MDL_PFS_Mosca_P_000058-114.pdf		Likely to Use
DX0003		20190319_BHR_MDL_PFS_Mosca_P_000115-171.pdf		Likely to Use
DX0004		20190717_BHR_MDL_PFS_Mosca_P_000172-230.pdf		Likely to Use
DX0005		20190919_BHR_MDL_PFS_Mosca_P_000231-289.pdf		Likely to Use
DX0006		20200706_BHR_MDL_PFS_Mosca_P_000231-259.pdf		Likely to Use
DX0007		20210716_BHR_MDL_PFS_Mosca_P_000260-288		Likely to Use
DX0008		20190122_BHR_MDL_PFS_VERIFI_MoscaP_000001-001.pdf		Likely to Use
DX0009		20190319_BHR_MDL_PFS_VERIFI_Mosca_P_000002-002.pdf		Likely to Use
DX0010		20190712_BHR_MDL_PFS_VERIFI_Mosca_P_000003-003.pdf		Likely to Use
DX0011		20190717_BHR_MDL_PFS_VERIFI_Mosca_P_000004-004.pdf		Likely to Use
DX0012		20190919_BHR_MDL_PFS_VERIFI_Mosca_P_000005-005.pdf		Likely to Use
DX0013		20210716_BHR_MDL_PFS_VERIFI_Mosca_P_000006-006.pdf		Likely to Use
DX0014		20190122_BHR_MDL_HIPAA_Mosca_P_000001-002.pdf		Likely to Use
DX0015		20190122_BHR_MDL_MEDICALS_Mosca_P_000001-053.pdf		Likely to Use
DX0016		PP-STEARNS-MOSCA-P 000001-044.pdf		Likely to Use
DX0017		Mosca_P-Tag001-JarrettsvilleFarmCare-Craig-Buck-1-115.pdf		Likely to Use
DX0018		Mosca_P- Tag002- MedstarOrtholns- Boucher-1-15.pdf		Likely to Use
DX0019		Mosca_P-Tag003-BayWestEndoAssoc-Fratila-1-55.pdf		Likely to Use
DX0020		Mosca_P-Tag004-MedstarOrtho-Lev/ine 18.pdf		Likely to Use
DX0021		Mosca_P-Tag005-AgapePT-1-18.pdf		Likely to Use
DX0022		Mosca_P-Tag006-PhilipHalstead-1-4.pdf		Likely to Use
DX0023		Mosca_P-Tag007-MedStarUnionMemHosp-1-771.pdf		Likely to Use
DX0024		Mosca_P-Tag008-AgapePT-Cert-1-3.pdf		Likely to Use
DX0025		Mosca_P-Tag009-BayWestEndoAssoc-CERT-1-3.pdf		Likely to Use
DX0026		Mosca_P-Tag010-MedStarOrtho-Levine-1-129.pdf		Likely to Use
DX0027		Mosca_P-Tag011-GMBCUrogyn-Blomquist-1-63.pdf		Likely to Use
DX0028		Mosca_P-Tag012-CometaWellnessCtr-1-2.pdf		Likely to Use
DX0029		Mosca_P-Tag013-Bernstein&Robinson-1-31.pdf		Likely to Use
DX0030		Mosca_P-Tag014-Hinton,Endrika-1-49.pdf		Likely to Use
DX0031		Mosca_P-Tag015-Hinton,Endrika-CERT-1-3.pdf		Likely to Use
DX0032		Mosca_P-Tag016-MedStarOrtholnst-1-9.pdf		Likely to Use
DX0033		Mosca_P-Tag017-MedStarUnionMemHosp-RAD-1-5.pdf		Likely to Use
DX0034		Mosca_P-Tag018-GBMCUrogyn-Blomquist-Cert-1-3.pdf		Likely to Use
DX0035		Mosca_P-Tag019-ENTAssocGBMC-Kunar-1-3.pdf		Likely to Use
DX0036		Mosca_P-Tag020-CharlestonInteMed-1-3.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0037		Mosca_P-Tag021-BayCounselingSvc-Pritt-Parker-1-56.pdf		Likely to Use
DX0038		Mosca_P-Tag022-GI-MicrosInst-1-21.pdf		Likely to Use
DX0039		Mosca_P-Tag023-SusquehannaOrthoAssoc-Ohearn-MED-1-3.pdf		Likely to Use
DX0040		Mosca_P-Tag024-GBMCatPerryHall-Greenberg-1-65.pdf		Likely to Use
DX0041		Mosca_P-Tag025-Parker,Arthur-MED_RAD-1-2.pdf		Likely to Use
DX0042		Mosca_P-Tag026-ClinAssoc-Derm-1-3.pdf		Likely to Use
DX0043		Mosca_P-Tag027-ChesapeakeContDentistry-Roth-1-3.pdf		Likely to Use
DX0044		Mosca_P-Tag028-AnneArundelDerm-1-3.pdf		Likely to Use
DX0045		Mosca_P-Tag-029-PerinatalAssoc-Khouzami-1-3.pdf		Likely to Use
DX0046		Mosca_P-Tag030-MedHlthGrp-Schluederberg-1-38.pdf		Likely to Use
DX0047		Mosca_P-Tag031-MedStarOrthoIns-Med-1-176.pdf		Likely to Use
DX0048		Mosca_P-Tag032-BaltimoreVAMedCtr-Bowman-Med-1-3.pdf		Likely to Use
DX0049		Mosca_P-Tag033-ThePlasticSurgeryCtrMD-Basner0MedRad-1-4.pdf		Likely to Use
DX0050		Mosca_P-Tag034-Labcorp-1-49.pdf		Likely to Use
DX0051		Mosca_P-Tag035-AholdUSA-GiantPharm-1-15.pdf		Likely to Use
DX0052		Mosca_P-Tag036-PatientFirst-1-9.pdf		Likely to Use
DX0053		Mosca_P-Tag037-GreaterBaltMedCtr-Med-1-93.pdf		Likely to Use
DX0054		Mosca_P-Tag038-GreaterBaltimoreMedCtr-Rad-1-4.pdf		Likely to Use
DX0055		Mosca_P-Tag040-GIMicrosurgeryIns-Med-Cert-1-3.pdf		Likely to Use
DX0056		Mosca_P-Tag041-BaltVAMedCtr-Bowman-Rad-1-4.pdf		Likely to Use
DX0057		Mosca_P-Tag042-GBMC-Bill-1-12.pdf		Likely to Use
DX0058		Mosca_P-Tag043-BayCounselingSvc-Pritt-RAD-1-3.pdf		Likely to Use
DX0059		Mosca_P-Tag044-ForestHillChurch-CareCounseling-1-3.pdf		Likely to Use
DX0060		Mosca_P-Tag045-GBMC-PerryHallGreenbg-MED-RAD-CERT-1-3.pdf		Likely to Use
DX0061		Mosca_P-Tag046-GBMC-BillCert-1-3.pdf		Likely to Use
DX0062		Mosca_P-Tag047-GBMC-MedCert-1-3.pdf		Likely to Use
DX0063		Mosca_P-Tag048-DrSpiroAntoniades-MedRad-1-3.pdf		Likely to Use
DX0064		Mosca_P-Tag049-LewisChiroCtr-Lewis-Med-Rad-1-3.pdf		Likely to Use
DX0065		Mosca_P-Tag050-LynnYurkofsky-1-6.pdf		Likely to Use
DX0066		Mosca_P-Tag051-StacyStearnsLCPC-1-4.pdf		Likely to Use
DX0067		Mosca_P-Tag052-IdealEndocrinology-Fratillia-Med-1-4.pdf		Likely to Use
DX0068		Mosca_P-Tag053-UpperChesapeakeCardAssoc-1-58.pdf		Likely to Use
DX0069		Mosca_P-Tag054-LynnYurkofsky-Rad-1-3.pdf		Likely to Use
DX0070		Mosca_P-Tag056-InsightCOounselingConsulting-Med-1-4.pdf		Likely to Use
DX0071		Mosca_P-Tag058-JarrettsvilleFamCare-1-48.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0072		Mosca_P-Tag059-MedstarOrthoInst-1-63.pdf		Likely to Use
DX0073		Mosca_P-Tag060-MedstarOrthoBelAir-1-9.pdf		Likely to Use
DX0074		Mosca_P-Tag061-BayWestEndoAssoc-1-9.pdf		Likely to Use
DX0075		Mosca_P-Tag062-AgapePT-1-3.pdf		Likely to Use
DX0076		Mosca_P-Tag063-JarrettesvilleFamilyCare-Cert-1-4.pdf		Likely to Use
DX0077		Mosca_P-Tag064-BayWest EndoCrinAssoc-Lee-1-77.pdf		Likely to Use
DX0078		Mosca_P-Tag065-MedstarOrthoIns-Cert-1-3.pdf		Likely to Use
DX0079		Mosca_P-Tag066-DRCorinaFratila-DocsRecdFax-1-28.pdf		Likely to Use
DX0080		Mosca_P-Tag067-Simmons-O'Brein-Orlinsky-MedBillRad-1-5.pdf		Likely to Use
DX0081		Mosca_P-Tag068-Shoplite Corporate Office-1-8.pdf		Likely to Use
DX0082		Mosca_P-Tag069-CVSHlth-1-8.pdf		Likely to Use
DX0083		Mosca_P-Tag070-WalgreensPharmCorpOffice-1-7.pdf		Likely to Use
DX0084		Mosca_P-Tag071-HarfordPharm-1-3.pdf		Likely to Use
DX0085		Mosca_P-Tag072-AholdUSA-GiantMissingandUpdate-1-6.pdf		Likely to Use
DX0086		Mosca_P-Tag073-BayWestEndoAssoc-Lee-Rad-1-3.pdf		Likely to Use
DX0087		Mosca_P-Tag074-JohnsHopkinsHosp-Med-1-7.pdf		Likely to Use
DX0088		Mosca_P-Tag075-AdvancedRadiology-1-11.pdf		Likely to Use
DX0089		Mosca_P-Tag077-MedstarOrthoIns-Moore-1-944.pdf		Likely to Use
DX0090		Mosca_P-Tag078-MedstarOrthoBelAir-Missing Rad-1-3.pdf		Likely to Use
DX0091		Mosca_P-Tag079-MedstarOrthoIns-MissingRad-1-3.pdf		Likely to Use
DX0092		Mosca_P-Tag080-MedstarOrtho-Belair-1-3.pdf		Likely to Use
DX0093		Mosca_P-Tag082-MedstarUnionMemorialHosp-Med-1-3.pdf		Likely to Use
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DX0096		Mosca_P-Tag085-InsightCounselingConsulting-Med-1-55.pdf		Likely to Use
DX0097		Mosca_P-Tag086-MedstarHlthOrtho-1-142.pdf		Likely to Use
DX0098		Mosca_P-Tag087-MedstarOrthoIns-Moore-Bill-Rad-1-3.pdf		Likely to Use
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DX0100		20190603_PPD_SN_BHR_MDL_Mosca_P_000001-008.pdf		Likely to Use
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DX0102		20191013_BHR_MDL_MED_BILL_Mosca_P_000058-068.pdf		Likely to Use
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DX0107		20191105_BHR_MDL_MED_BILL_Mosca_P_000123-220.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0108		20200120_BHR_MDL_MED_BILL_Mosca_P_000232-246.pdf		Likely to Use
DX0109		20190722_BHR_MDL_MEDICALS_Mosca_P_000060-202.pdf		Likely to Use
DX0110		20190827_BHR_MDL_MEDICALS_Mosca_P_000257-304.pdf		Likely to Use
DX0111		20190830_BHR_MDL_MEDICALS_Mosca_P_000305-332.pdf		Likely to Use
DX0112		20190830_BHR_MDL_MEDICALS_Mosca_P_000333-346.pdf		Likely to Use
DX0113		20190830_BHR_MDL_MEDICALS_Mosca_P_000347-351.pdf		Likely to Use
DX0114		20190830_BHR_MDL_MEDICALS_Mosca_P_000352-354.pdf		Likely to Use
DX0115		20190831_BHR_MDL_LEGAL_Mosca_P_000008-009.pdf		Likely to Use
DX0116		20190831_BHR_MDL_TAX_Mosca_P_000001-093.pdf		Likely to Use
DX0117		20190904_BHR_MDL_MEDICALS_Mosca_P_000355-365.pdf		Likely to Use
DX0118		20190904_BHR_MDL_MEDICALS_Mosca_P_000366-366.pdf		Likely to Use
DX0119		20190904_BHR_MDL_MEDICALS_Mosca_P_000367-389.pdf		Likely to Use
DX0120		20190904_BHR_MDL_MEDICALS_Mosca_P_000390-436.pdf		Likely to Use
DX0121		20190904_BHR_MDL_MEDICALS_Mosca_P_000437-440.pdf		Likely to Use
DX0122		20190906_BHR_MDL_MEDICALS_Mosca_P_000441-484.pdf		Likely to Use
DX0123		20190906_BHR_MDL_MEDICALS_Mosca_P_000485-531.pdf		Likely to Use
DX0124		20190906_BHR_MDL_MEDICALS_Mosca_P_000532-1211.pdf		Likely to Use
DX0125		20190813_BHR_MDL_MEDICALS_Mosca_P_000203-222.pdf		Likely to Use
DX0126		20190813_BHR_MDL_MEDICALS_Mosca_P_000223-245.pdf		Likely to Use
DX0127		20190813_BHR_MDL_MEDICALS_Mosca_P_000246-256.pdf		Likely to Use
DX0128		20190913_BHR_MDL_MEDICALS_Mosca_P_001212-1265.pdf		Likely to Use
DX0129		20190917_BHR_MDL_TAX_Mosca_P_000094-130.pdf		Likely to Use
DX0130		20190918_BHR_MDL_TAX_Mosca_P_000131-132.pdf		Likely to Use
DX0131		20190919_BHR_MDL_MEDICALS_Mosca_P_001267-1270.pdf		Likely to Use
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DX0135		20190924_BHR_MDL_MED_BILL_Mosca_P_000042-057.pdf		Likely to Use
DX0136		20190924_BHR_MDL_PHARMA_Mosca_P_000001-006.pdf		Likely to Use
DX0137		20190919_BHR_MDL_MEDICALS_Mosca_P_001292-1300.pdf		Likely to Use
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DX0141		20191105_BHR_MDL_MEDICALS_Mosca_P_001372-1397.pdf		Likely to Use
DX0142		20191025_BHR_MDL_PHARMA_Mosca_P_000007-017.pdf		Likely to Use
DX0143		20191025_BHR_MDL_PHARMA_Mosca_P_000018-023.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0144		20191025_BHR_MDL_PHARMA_Mosca_P_000018-023.pdf		Likely to Use
DX0145		20191114_BHR_MDL_MEDICALS_Mosca_P_001398-1445.pdf		Likely to Use
DX0146		20191206_BHR_MDL_MEDICALS_Mosca_P_001446-1493.pdf		Likely to Use
DX0147		20191206_BHR_MDL_MEDICALS_Mosca_P_001494-1498.pdf		Likely to Use
DX0148		20191206_BHR_MDL_MEDICALS_Mosca_P_001499-1519.pdf		Likely to Use
DX0149		20191206_BHR_MDL_MEDICALS_Mosca_P_001520-1524.pdf		Likely to Use
DX0150		20191206_BHR_MDL_MEDICALS_Mosca_P_001525-1529.pdf		Likely to Use
DX0151		20191206_BHR_MDL_MEDICALS_Mosca_P_001530-1537.pdf		Likely to Use
DX0152		20191206_BHR_MDL_MEDICALS_Mosca_P_001538-1538.pdf		Likely to Use
DX0153		20191206_BHR_MDL_MEDICALS_Mosca_P_001539-1548.pdf		Likely to Use
DX0154		20191206_BHR_MDL_MEDICALS_Mosca_P_001549-1553.pdf		Likely to Use
DX0155		20191206_BHR_MDL_MEDICALS_Mosca_P_001554-1561.pdf		Likely to Use
DX0156		20191206_BHR_MDL_MEDICALS_Mosca_P_001562-1567.pdf		Likely to Use
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DX0158		20191206_BHR_MDL_MEDICALS_Mosca_P_001578-1588.pdf		Likely to Use
DX0159		20191206_BHR_MDL_MEDICALS_Mosca_P_001589-1761.pdf		Likely to Use
DX0160		20200110_BHR_MDL_MEDICALS_Mosca_P_001762-1763.pdf		Likely to Use
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DX0162		20200117_BHR_MDL_MEDICALS_Mosca_P_001764-1764.pdf		Likely to Use
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DX0166		20200221_BHR_MDL_MEDICALS_Mosca_P_001976-1976.pdf		Likely to Use
DX0167		20200228_BHR_MDL_MEDICALS_Mosca_P_001977-1977.pdf		Likely to Use
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DX0174		20191206_BHR_MDL_MISC_Mosca_P_000014-014.pdf		Likely to Use
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DX0178		20191206_BHR_MDL_MISC_Mosca_P_000034-050.pdf		Likely to Use
DX0179		20191206_BHR_MDL_MISC_Mosca_P_000051-051.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0180		20191206_BHR_MDL_MISC_Mosca_P_000052-052.pdf		Likely to Use
DX0181		20191206_BHR_MDL_MISC_Mosca_P_000053-053.pdf		Likely to Use
DX0182		Phylliss Mosca - Employment Authorization.pdf		Likely to Use
DX0183		MOSCA-ICC-000001-055.pdf		Likely to Use
DX0184		Advanced Radiology RT 325462.75.zip		Likely to Use
DX0185		Advanced Radiology.zip		Likely to Use
DX0186		Bay West Endocrinology Associates RT 325462.76.zip		Likely to Use
DX0187		Images.zip		Likely to Use
DX0188		John Hopkins Hosp. RT 325462.83.zip		Likely to Use
DX0189		Medstar Ortho Inst. RT 325462.87.zip		Likely to Use
DX0190		Medstar Union Memorial Hosp Imaging.zip		Likely to Use
DX0191		Medstar Union Memorial Hosp RT325462.17.zip		Likely to Use
DX0192		Mosca - Advanced Radiology Imaging to Smith & Nephew 12-4-20 (1).zip		Likely to Use
DX0193		Patient First Medical Ctr.zip		Likely to Use
DX0194		Union Mem. Ortho and Sports Med. RT 325462.78.zip		Likely to Use
DX0195		20191009_BHR_MDL_EMPLOYER_Mosca_P_000042-045.pdf		Likely to Use
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DX0197		20191030_BHR_MDL_EMPLOYER_Mosca_P_000001-003.pdf		Likely to Use
DX0198		20191030_BHR_MDL_EMPLOYER_Mosca_P_000004-004.pdf		Likely to Use
DX0199		20191030_BHR_MDL_EMPLOYER_Mosca_P_000005-005.pdf		Likely to Use
DX0200		20191030_BHR_MDL_EMPLOYER_Mosca_P_000006-006.pdf		Likely to Use
DX0201		20191030_BHR_MDL_EMPLOYER_Mosca_P_000007-010.pdf		Likely to Use
DX0202		20191030_BHR_MDL_EMPLOYER_Mosca_P_000011-015.pdf		Likely to Use
DX0203		20191030_BHR_MDL_EMPLOYER_Mosca_P_000016-019.pdf		Likely to Use
DX0204		20191030_BHR_MDL_EMPLOYER_Mosca_P_000020-020.pdf		Likely to Use
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DX0207		20191119_BHR_MDL_TAX_Mosca_P_000139-141.pdf		Likely to Use
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DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0215		20191211_BHR_MDL_TAX_Mosca_P_000401-444.pdf		Likely to Use
DX0216		20200107_BHR_MDL_TAX_Mosca_P_000445-447.pdf		Likely to Use
DX0217		20200107_BHR_MDL_TAX_Mosca_P_000448-478.pdf		Likely to Use
DX0218		20200107_BHR_MDL_TAX_Mosca_P_000479-535.pdf		Likely to Use
DX0219		20200107_BHR_MDL_TAX_Mosca_P_000536-586.pdf		Likely to Use
DX0220		MOSCA-MassMutual-000001-000106.pdf		Likely to Use
DX0221		MOSCA-UHC-000001-007.pdf		Likely to Use
DX0222		MOSCA-UHC-000008-282.pdf		Likely to Use
DX0223		MOSCA-UHC-000283-569.pdf		Likely to Use
DX0224		MOSCA-UHC-000570-761.pdf		Likely to Use
DX0225		MOSCA-UHC-000762-771.pdf		Likely to Use
DX0226		20210422_BHR_MDL_MEDICALS_Mosca_P_002005-2057		Likely to Use
DX0227		Mosca Affidavits.zip		Likely to Use
DX0228		Mosca Medical Bills.zip		Likely to Use
DX0229		Mosca Tax Materials.zip		Likely to Use
DX0230		PP-EMI-MOSCA-P 000001-009		Likely to Use
DX0231		20190819_SN_BHR_MDL_Mosca_P_000001-003.pdf		Likely to Use
DX0232		SN_BHR_MDL-0019343-46.pdf		Likely to Use
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DX0246		SN_BHR_MDL_0076710-SN_BHR_MDL_0384416.pdf		Likely to Use
DX0247		SN_BHR_MDL_0076711.pdf		Likely to Use
DX0248		SN_BHR_MDL_0078133.pdf		Likely to Use
DX0249		SN_BHR_MDL_0078137.pdf		Likely to Use
DX0250		SN_BHR_MDL_0078172.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0251		SN_BHR_MDL_0078197.pdf		Likely to Use
DX0252		SN_BHR_MDL_0078261.pdf		Likely to Use
DX0253		SN_BHR_MDL_0079205.pdf		Likely to Use
DX0254		SN_BHR_MDL_0079409.pdf		Likely to Use
DX0255		SN_BHR_MDL_0079415.pdf		Likely to Use
DX0256		SN_BHR_MDL_0079590.pdf		Likely to Use
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DX0258		SN_BHR_MDL_0079754.pdf		Likely to Use
DX0259		SN_BHR_MDL_0080791.pdf		Likely to Use
DX0260		SN_BHR_MDL_0080877.pdf		Likely to Use
DX0261		SN_BHR_MDL_0081198.pdf		Likely to Use
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DX0272		SN_BHR_MDL_0082750.pdf		Likely to Use
DX0273		SN_BHR_MDL_0083119.pdf		Likely to Use
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DX0275		SN_BHR_MDL_0105239.pdf		Likely to Use
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DX0277		SN_BHR_MDL_0105322.pdf		Likely to Use
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DX0279		SN_BHR_MDL_0105349.pdf		Likely to Use
DX0280		SN_BHR_MDL_0105360.pdf		Likely to Use
DX0281		SN_BHR_MDL_0105361.pdf		Likely to Use
DX0282		SN_BHR_MDL_0113267.pdf		Likely to Use
DX0283		SN_BHR_MDL_0116202.pdf		Likely to Use
DX0284		SN_BHR_MDL_0117038.pdf		Likely to Use
DX0285		SN_BHR_MDL_0123088.pdf		Likely to Use
DX0286		SN_BHR_MDL_0125402.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0287		SN_BHR_MDL_0161405.pdf		Likely to Use
DX0288		SN_BHR_MDL_0161408.pdf		Likely to Use
DX0289		SN_BHR_MDL_0506803.pdf		Likely to Use
DX0290		SN_BHR_MDL_0612971.pdf		Likely to Use
DX0291		SN_BHR_MDL_0628833.pdf		Likely to Use
DX0292		SN_BHR_MDL_0628925.pdf		Likely to Use
DX0293		DFS/Materials		Likely to Use
DX0294		SN_BHR_MDL_0764947.pdf		Likely to Use
DX0295		SN_BHR_MDL_0850043.pdf		Likely to Use
DX0296		SN_BHR_MDL_0852534.pdf		Likely to Use
DX0297		SN_BHR_MDL_1032196.pdf		Likely to Use
DX0298		SN_BHR_MDL_1032344.pdf		Likely to Use
DX0299		SN_BHR_MDL_1068238.pdf		Likely to Use
DX0300		SN_BHR_MDL_1107131.pdf		Likely to Use
DX0301		SN_BHR_MDL_1132340.pdf		Likely to Use
DX0302		SN_BHR_MDL_1146508.pdf		Likely to Use
DX0303		SN_BHR_MDL_1201629.pdf		Likely to Use
DX0304		SN_BHR_MDL_1500108.pdf		Likely to Use
DX0305		SN_BHR_MDL_1675595.pdf		Likely to Use
DX0306		SN_BHR_MDL_1675648.pdf		Likely to Use
DX0307		SN_BHR_MDL_1675659.pdf		Likely to Use
DX0308		SN_BHR_MDL_1675830.pdf		Likely to Use
DX0309		SN_BHR_MDL_1675901.pdf		Likely to Use
DX0310		SN_BHR_MDL_1755800.pdf		Likely to Use
DX0311		SN_BHR_MDL_1788194.pdf		Likely to Use
DX0312		SN_BHR_MDL_1788205.pdf		Likely to Use
DX0313		SN_BHR_MDL_1789256.pdf		Likely to Use
DX0314		SN_BHR_MDL_1798290.pdf		Likely to Use
DX0315		Defendant Fact Sheet Attachment_1405_12442.pdf		Likely to Use
DX0316		Defendant Fact Sheet Attachment_1405_15018.pdf		Likely to Use
DX0317		Defendant Fact Sheet_1405_12475.pdf		Likely to Use
DX0318		Defendant Fact Sheet_1405_15040.pdf		Likely to Use
DX0319		defendantfactsheet_22435.pdf		Likely to Use
DX0320		DFS 2.pdf		Likely to Use
DX0321		DFS 3.pdf		Likely to Use
DX0322		DFS 4.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0323		Verif 2.pdf		Likely to Use
DX0324		Verif 3.pdf		Likely to Use
DX0325		Verif 4.pdf		Likely to Use
DX0326		Verif 5.pdf		Likely to Use
DX0327		20181114_Doc1183_Mosca_Phyliss_Short_Form_Complaint.pdf		Likely to Use
DX0328		MoscaPhyliss_DrHenryBoucherExParteDisc_20200203.pdf		Likely to Use
DX0329		SN_BHR_MDL_0172365.pdf		Likely to Use
DX0330		SN_BHR_MDL_0858424.pdf		Likely to Use
DX0331		SN_BHR_MDL_0222374.pdf		Likely to Use
DX0332		SN_BHR_MDL_1792891.pdf		Likely to Use
DX0333		SN_BHR_MDL_0975377.pdf		Likely to Use
DX0334		SN_BHR_MDL_0485243.pdf		Likely to Use
DX0335		SN_BHR_MDL_0969936.pdf and SN_BHR_MDL_0969946.pdf (split into separate files)		Likely to Use
DX0336		SN_BHR_MDL_0123915.pdf		Likely to Use
DX0337		SN_BHR_MDL_0959820.pdf and SN_BHR_MDL_0959821.pdf (split into separate files)		Likely to Use
DX0338		SN_BHR_MDL_0886087.pdf/SN_BHR_MDL_0886087_VOL041.pdf and SN_BHR_MDL_0886088_VOL041.pdf (split into separate files)		Likely to Use
DX0339		SN_BHR_MDL_0123788.pdf		Likely to Use
DX0340		SN_BHR_MDL_0457289.pdf		Likely to Use
DX0341		SN_BHR_MDL_0885967.pdf and SN_BHR_MDL_0885968.pdf (split into separate files)		Likely to Use
DX0342		SN_BHR_MDL_0370212.pdf		Likely to Use
DX0343		SN_BHR_MDL-0008622-8627.pdf		Likely to Use
DX0344		SN_BHR_MDL_0951239.pdf and SN_BHR_MDL_0951242.pdf (split into separate files)		Likely to Use
DX0345		SN_BHR_MDL_2187381.pdf and SN_BHR_MDL_2187382.pdf (split into separate files)		Likely to Use
DX0346		SN_BHR_MDL_0427494.pdf		Likely to Use
DX0347		SN_BHR_MDL_0246720.pdf		Likely to Use
DX0348		SN_BHR_MDL_1277497.pdf		Likely to Use
DX0349		20200207 Boucher Henry Depo Trans MDL].pdf		Likely to Use
DX0350		Henry Boucher- Executed Errata.pdf		Likely to Use
DX0351		Henry Boucher- Executed Signature Page.pdf		Likely to Use
DX0352		Exhibit 1.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0353		Exhibit 2.pdf		Likely to Use
DX0354		Exhibit 3.pdf		Likely to Use
DX0355		Exhibit 4.pdf		Likely to Use
DX0356		Exhibit 5.pdf		Likely to Use
DX0357		Exhibit 6.pdf		Likely to Use
DX0358		Exhibit 7.pdf		Likely to Use
DX0359		Exhibit 8.pdf		Likely to Use
DX0360		Exhibit 9.pdf		Likely to Use
DX0361		Exhibit 10.pdf		Likely to Use
DX0362		Exhibit 11.pdf		Likely to Use
DX0363		Exhibit 12.pdf		Likely to Use
DX0364		Exhibit 13.pdf		Likely to Use
DX0365		Exhibit 14.pdf		Likely to Use
DX0366		Exhibit 15.pdf		Likely to Use
DX0367		Exhibit 16.pdf		Likely to Use
DX0368		Exhibit 18.pdf		Likely to Use
DX0369		Exhibit 19.pdf		Likely to Use
DX0370		Exhibit 20.pdf		Likely to Use
DX0371		Exhibit 21.pdf		Likely to Use
DX0372		Exhibit 22.pdf		Likely to Use
DX0373		Exhibit 23.pdf		Likely to Use
DX0374		Exhibit 24.pdf		Likely to Use
DX0375		Exhibit 25.pdf		Likely to Use
DX0376		Exhibit 26.pdf		Likely to Use
DX0377		20200911 Cometa Ariane Depo Trans [MDL].pdf		Likely to Use
DX0378		Exhibit2.pdf		Likely to Use
DX0379		20201030 Craig-Buckholtz Mary Elizabeth Depo Trans [MDL]		Likely to Use
DX0380		Exhibit 1.pdf		Likely to Use
DX0381		Exhibit 2.pdf		Likely to Use
DX0382		Exhibit 3.pdf		Likely to Use
DX0383		20201006 Fratila Corina Depo Trans [MDL].pdf		Likely to Use
DX0384		Read & Sign Letter.pdf		Likely to Use
DX0385		Exhibit 1.pdf		Likely to Use
DX0386		Exhibit 2.pdf		Likely to Use
DX0387		Exhibit 3.pdf		Likely to Use
DX0388		20201020 Kristiansen Audra Depo Trans [MDL].pdf		Likely to Use

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DX0389		20201105 Levine Richard Depo Trans [MDL].pdf		Likely to Use
DX0390		Exhibit 1.pdf		Likely to Use
DX0391		Exhibit 2.pdf		Likely to Use
DX0392		Exhibit 3.pdf		Likely to Use
DX0393		Exhibit 4.pdf		Likely to Use
DX0394		Exhibit 5.pdf		Likely to Use
DX0395		20191025 Mosca Phyllis Depo Trans [MDL].pdf		Likely to Use
DX0396		Exhibit 1.pdf		Likely to Use
DX0397		Exhibit 2.pdf		Likely to Use
DX0398		Exhibit 3.pdf		Likely to Use
DX0399		Exhibit 4.pdf		Likely to Use
DX0400		Exhibit 5.pdf		Likely to Use
DX0401		Exhibit 6.pdf		Likely to Use
DX0402		Exhibit 7.pdf		Likely to Use
DX0403		Exhibit 8.pdf		Likely to Use
DX0404		Exhibit 9.pdf		Likely to Use
DX0405		Exhibit 10.pdf		Likely to Use
DX0406		Exhibit 11.pdf		Likely to Use
DX0407		Exhibit 12.pdf		Likely to Use
DX0408		Exhibit 13.pdf		Likely to Use
DX0409		20200924 Mosca Vito Depo Trans [MDL].pdf		Likely to Use
DX0410		Mosca Vito Errata Signature Sheet.pdf		Likely to Use
DX0411		Exhibit 1.pdf		Likely to Use
DX0412		20200108 Powers Terry Depo Trans [MDL - Mosca,Steinwandt].pdf		Likely to Use
DX0412A		BHR Signature Page.jpg		Likely to Use
DX0413		Powers - Errata Sheet 253908762_1.pdf		Likely to Use
DX0414		Exhibit 1.pdf		Likely to Use
DX0415		Exhibit 2.pdf		Likely to Use
DX0416		Exhibit 3.pdf		Likely to Use
DX0417		Exhibit 4.pdf		Likely to Use
DX0418		Exhibit 5.pdf		Likely to Use
DX0419		Exhibit 6.pdf		Likely to Use
DX0420		Exhibit 7.pdf		Likely to Use
DX0421		Exhibit 8.pdf		Likely to Use
DX0422		Exhibit 9.pdf		Likely to Use
DX0423		Exhibit 10.pdf		Likely to Use

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DX0425		Exhibit 12.pdf		Likely to Use
DX0426		Exhibit 13.pdf		Likely to Use
DX0427		Exhibit 14.pdf		Likely to Use
DX0428		Exhibit 15.pdf		Likely to Use
DX0429		Exhibit 16.pdf		Likely to Use
DX0430		20201015 Pritchard Stephanie Depo Trans [MDL].pdf		Likely to Use
DX0431		20201023 Pritt Terry Depo Trans [MDL].pdf		Likely to Use
DX0432		Exhibit 1.pdf		Likely to Use
DX0433		Exhibit 2.pdf		Likely to Use
DX0434		20200626 Boucher Henry Depo Trans [MDL]- Steinwandt		Likely to Use
DX0435		Exhibit 1.pdf		Likely to Use
DX0436		Exhibit 2.pdf		Likely to Use
DX0437		Exhibit 3.pdf		Likely to Use
DX0438		Exhibit 4.pdf		Likely to Use
DX0439		Exhibit 5.pdf		Likely to Use
DX0440		Exhibit 6.pdf		Likely to Use
DX0441		Exhibit 7.pdf		Likely to Use
DX0442		Exhibit 8.pdf		Likely to Use
DX0443		Exhibit 9.pdf		Likely to Use
DX0444		Exhibit 10.pdf		Likely to Use
DX0445		Exhibit 11.pdf		Likely to Use
DX0446		Exhibit 12.pdf		Likely to Use
DX0447		Exhibit 13.pdf		Likely to Use
DX0448		Exhibit 14.pdf		Likely to Use
DX0449		Exhibit 15.pdf		Likely to Use
DX0450		Exhibit 16.pdf		Likely to Use
DX0451		Exhibit 17.pdf		Likely to Use
DX0452		Exhibit 18.pdf		Likely to Use
DX0453		Exhibit 19.pdf		Likely to Use
DX0454		Exhibit 20.pdf		Likely to Use
DX0455		Exhibit 21.pdf		Likely to Use
DX0456		20200724 Boucher Henry Depo Trans [MDL]		Likely to Use
DX0457		Exhibit 1.pdf		Likely to Use
DX0458		Exhibit 2.pdf		Likely to Use
DX0459		Exhibit 3.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0460		Exhibit 4.pdf		Likely to Use
DX0461		Exhibit 5.pdf		Likely to Use
DX0462		20200724 Boucher Henry Depo Trans [MDL]		Likely to Use
DX0463		Exhibit 22.pdf		Likely to Use
DX0464		20200807 Boucher Henry Depo Trans [MDL]		Likely to Use
DX0465		Exhibit 6.pdf		Likely to Use
DX0466		20200221 Kuser Marty Depo Trans [MDL]		Likely to Use
DX0467		Exhibit 1.pdf		Likely to Use
DX0468		Exhibit 2.pdf		Likely to Use
DX0469		Exhibit 3.pdf		Likely to Use
DX0470		Exhibit 4.pdf		Likely to Use
DX0471		Exhibit 5.pdf		Likely to Use
DX0472		Exhibit 6.pdf		Likely to Use
DX0473		Exhibit 7.pdf		Likely to Use
DX0474		Exhibit 8.pdf		Likely to Use
DX0475		Exhibit 9.pdf		Likely to Use
DX0476		Exhibit 10.pdf		Likely to Use
DX0477		Exhibit 11.pdf		Likely to Use
DX0478		Exhibit 12.pdf		Likely to Use
DX0479		Exhibit 13.pdf		Likely to Use
DX0480		Exhibit 14.pdf		Likely to Use
DX0481		Kuser Errata.pdf		Likely to Use
DX0482		2020-09-28 - Mosca - Pltf's Answers to Interrogatories.pdf		Likely to Use
DX0483		2020-09-28 - Mosca - Pltf's Responses to RFPs.pdf		Likely to Use
DX0484		2021-01-15 - Mosca - Pltf's Responses to RFAs.pdf		Likely to Use
DX0485		2021-02-26 - Mosca - Pltf's Suppl. Responses to S&N's First Set of Interrogatories.pdf		Likely to Use
DX0486		2021-02-26 - Mosca - Pltf's Suppl. Responses to S&N's First Set of RFAs.pdf		Likely to Use
DX0487		01_Mosca-Steinwandt_Powers__MDL_0000001.pdf		Likely to Use
DX0488		02_Mosca-Steinwandt_Powers__MDL_0000002.pdf		Likely to Use
DX0489		03_Mosca-Steinwandt_Powers__MDL_0000004.pdf		Likely to Use
DX0490		04_Mosca-Steinwandt_Powers__MDL_0000045.pdf		Likely to Use
DX0491		05_Mosca-Steinwandt_Powers__MDL_0000054.pdf		Likely to Use
DX0492		06_Mosca-Steinwandt_Powers__MDL_0000056.pdf		Likely to Use
DX0493		07_Mosca-Steinwandt_Powers__MDL_0000108.pdf		Likely to Use

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DX0494		08_Mosca-Steinwandt_Powers__MDL_0000110.pdf		Likely to Use
DX0495		09_Mosca-Steinwandt_Powers__MDL_0000132.pdf		Likely to Use
DX0496		10_Mosca-Steinwandt_Powers__MDL_0000134.pdf		Likely to Use
DX0497		20190819_SN_BHR_MDL_Mosca_P_000001-003.pdf		Likely to Use
DX0498		Kopjar_BHR_MDL_0005472.pdf		Likely to Use
DX0499		Kopjar_BHR_MDL_0006661.pdf		Likely to Use
DX0500		Kopjar_BHR_MDL_0008622.pdf		Likely to Use
DX0501		SN_BHR_MDL_0019343-46.pdf		Likely to Use
DX0502		SN_BHR_MDL-0019613.pdf		Likely to Use
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DX0505		SN_BHR_MDL-0027857.pdf		Likely to Use
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DX0528		SN_BHR_MDL_0096332.pdf		Likely to Use
DX0529		SN_BHR_MDL_0099487.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0530		SN_BHR_MDL_0102229.pdf		Likely to Use
DX0531		SN_BHR_MDL_0110226.pdf		Likely to Use
DX0532		SN_BHR_MDL_0110571.pdf		Likely to Use
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DX0564		SN_BHR_MDL_0400864.pdf		Likely to Use
DX0565		SN_BHR_MDL_0402465.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
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DX0600		SN_BHR_MDL_0611825.pdf		Likely to Use
DX0601		SN_BHR_MDL_0616232.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0602		SN_BHR_MDL_0618906.pdf		Likely to Use
DX0603		SN_BHR_MDL_0618933.pdf		Likely to Use
DX0604		SN_BHR_MDL_0646639.pdf		Likely to Use
DX0605		SN_BHR_MDL_0647767.pdf		Likely to Use
DX0606		SN_BHR_MDL_0650870.pdf		Likely to Use
DX0607		SN_BHR_MDL_0655771.pdf		Likely to Use
DX0608		SN_BHR_MDL_0657319.pdf		Likely to Use
DX0609		SN_BHR_MDL_0657460.pdf		Likely to Use
DX0610		SN_BHR_MDL_0657763.pdf		Likely to Use
DX0611		SN_BHR_MDL_0661907.pdf		Likely to Use
DX0612		SN_BHR_MDL_0662727.pdf		Likely to Use
DX0613		SN_BHR_MDL_0683798.pdf		Likely to Use
DX0614		SN_BHR_MDL_0685276.pdf		Likely to Use
DX0615		SN_BHR_MDL_0747785.pdf		Likely to Use
DX0616		SN_BHR_MDL_0764947.pdf		Likely to Use
DX0617		SN_BHR_MDL_0776459.pdf		Likely to Use
DX0618		SN_BHR_MDL_0789281.pdf		Likely to Use
DX0619		SN_BHR_MDL_0789786.pdf		Likely to Use
DX0620		SN_BHR_MDL_0795541.pdf		Likely to Use
DX0621		SN_BHR_MDL_0800580.pdf		Likely to Use
DX0622		SN_BHR_MDL_0809015.pdf		Likely to Use
DX0623		SN_BHR_MDL_0809028.pdf		Likely to Use
DX0624		SN_BHR_MDL_0809906.pdf		Likely to Use
DX0625		SN_BHR_MDL_0811379.pdf		Likely to Use
DX0626		SN_BHR_MDL_0819729.pdf		Likely to Use
DX0627		SN_BHR_MDL_0821822.pdf		Likely to Use
DX0628		SN_BHR_MDL_0846097.pdf		Likely to Use
DX0629		SN_BHR_MDL_0846455.pdf		Likely to Use
DX0630		SN_BHR_MDL_0852455.pdf		Likely to Use
DX0631		SN_BHR_MDL_0852534.pdf		Likely to Use
DX0632		SN_BHR_MDL_0854582.pdf		Likely to Use
DX0633		SN_BHR_MDL_0868160.pdf		Likely to Use
DX0634		SN_BHR_MDL_0868432.pdf		Likely to Use
DX0635		SN_BHR_MDL_0868434.pdf		Likely to Use
DX0636		SN_BHR_MDL_0868530.pdf		Likely to Use
DX0637		SN_BHR_MDL_0871846.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0638		SN_BHR_MDL_0886087.pdf		Likely to Use
DX0639		SN_BHR_MDL_0902906.pdf		Likely to Use
DX0640		SN_BHR_MDL_0925308.pdf		Likely to Use
DX0641		SN_BHR_MDL_0929933.pdf		Likely to Use
DX0642		SN_BHR_MDL_0931567.pdf		Likely to Use
DX0643		SN_BHR_MDL_0935657.pdf		Likely to Use
DX0644		SN_BHR_MDL_0944857.pdf		Likely to Use
DX0645		SN_BHR_MDL_0951239.pdf		Likely to Use
DX0646		SN_BHR_MDL_0958963.pdf		Likely to Use
DX0647		SN_BHR_MDL_0958996.pdf		Likely to Use
DX0648		SN_BHR_MDL_0959105.pdf		Likely to Use
DX0649		SN_BHR_MDL_0959820.pdf		Likely to Use
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DX0651		SN_BHR_MDL_0975377.pdf		Likely to Use
DX0652		SN_BHR_MDL_1015207.pdf		Likely to Use
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DX0672		SN_BHR_MDL_1755800.pdf		Likely to Use
DX0673		SN_BHR_MDL_1788194.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
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DX0679		SN_BHR_MDL_1973582.pdf		Likely to Use
DX0680		SN_BHR_MDL_1974737.pdf		Likely to Use
DX0681		SN_BHR_MDL_1984812.pdf		Likely to Use
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DX0683		SN_BHR_MDL_2091297.pdf		Likely to Use
DX0684		SN_BHR_MDL_2136186.pdf		Likely to Use
DX0685		SN_BHR_MDL_2183494.pdf		Likely to Use
DX0686		SN_BHR_MDL_2235576.pdf		Likely to Use
DX0687		SN_BHR_MDL_2290190.pdf		Likely to Use
DX0688		SN_BHR_MDL_2313143.pdf		Likely to Use
DX0689		SN_BHR_MDL_2526270.pdf		Likely to Use
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DX0708		SN_BHR_MDL_3512221.pdf		Likely to Use
DX0709		SN_BHR_MDL_3276017.pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0710		JamesAaronMD_MoscaPhyliss_26a2ExpertReport_20201203.pdf		Likely to Use
DX0711		Shapiro_26a2ExpertReport_MoscaPhyliss_20201204.pdf		Likely to Use
DX0712		BHR MDL - MOSCA Phyliss - McCarthy Expert Report.pdf		Likely to Use
DX0713		BHR MDL - MOSCA Phyliss - Hungerford Expert Report.pdf		Likely to Use
DX0714		SN_BHR_MDL_0246720_VOL025.pdf		Likely to Use
DX0715		SN_BHR_MDL_0254504_VOL027.pdf		Likely to Use
DX0716		SN_BHR_MDL_0370212_VOL027.pdf		Likely to Use
DX0717		SN_BHR_MDL_0384416_VOL027.pdf		Likely to Use
DX0718		SN_BHR_MDL_0485243_VOL028a.pdf		Likely to Use
DX0719		SN_BHR_MDL_0485245_VOL028a.pdf		Likely to Use
DX0720		SN_BHR_MDL_0789282_VOL037.pdf		Likely to Use
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DX0722		SN_BHR_MDL_0867760_VOL040.pdf		Likely to Use
DX0723		SN_BHR_MDL_0886088_VOL041.pdf		Likely to Use
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DX0725		SN_BHR_MDL_2536706_VOL057NOSUFFIX1.pdf		Likely to Use
DX0726		SN_BHR_MDL_2852117_VOL057NOSUFFIX1.pdf		Likely to Use
DX0727		SN_BHR_MDL_3275891_VOL062PART2.pdf		Likely to Use
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DX0747		SN_BHR_MDL-0024599_VOL001.pdf		Likely to Use
DX0748		SN_BHR_MDL-0024725_VOL001.pdf		Likely to Use
DX0749		SN_BHR_MDL-0024730_VOL001.pdf		Likely to Use
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DX0751		SN_BHR_MDL_0743417_VOL034.pdf		Likely to Use
DX0752		SN_BHR_MDL_0266155_VOL027.pdf		Likely to Use
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DX0756		SN_BHR_MDL_2424887_VOL055NOSUFFIXSupp.pdf		Likely to Use
DX0757		20210205 Hungerford Marc Depo Trans [MDL].pdf		Likely to Use
DX0758		Marc Hungerford errata 2.5.2021.pdf		Likely to Use
DX0759		Hungerford Supplemental List of Materials Reviewed (Mosca).pdf		Likely to Use
DX0760		Exhibit 1.pdf		Likely to Use
DX0761		Exhibit 2.pdf		Likely to Use
DX0762		Exhibit 3.pdf		Likely to Use
DX0763		Exhibit 4.pdf		Likely to Use
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DX0765		Exhibit 6.pdf		Likely to Use
DX0766		Exhibit 7.pdf		Likely to Use
DX0767		Exhibit 8.pdf		Likely to Use
DX0768		Exhibit 9.pdf		Likely to Use
DX0769		Exhibit 10.pdf		Likely to Use
DX0770		Exhibit 11.pdf		Likely to Use
DX0771		Exhibit 12.pdf		Likely to Use
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DX0773		R&S (Sossamon-Esq).pdf		Likely to Use
DX0774		Marc Hungerford errata 2.12.21 depo Vol 2 .pdf		Likely to Use
DX0775		Exhibit 1.pdf		Likely to Use
DX0776		Exhibit 2.pdf		Likely to Use
DX0777		Exhibit 3.pdf		Likely to Use
DX0778		Exhibit 4.pdf		Likely to Use
DX0779		Exhibit 5.pdf		Likely to Use
DX0780		Exhibit 6.pdf		Likely to Use
DX0781		20210122 James Aaron Depo Trans [MDL].pdf		Likely to Use

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DX0784		Exhibit 2.pdf		Likely to Use
DX0785		Exhibit 3.pdf		Likely to Use
DX0786		Exhibit 4.pdf		Likely to Use
DX0787		Exhibit 5.pdf		Likely to Use
DX0788		Exhibit 6.pdf		Likely to Use
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DX0790		Exhibit 8.pdf		Likely to Use
DX0791		Exhibit 9.pdf		Likely to Use
DX0792		Exhibit 10.pdf		Likely to Use
DX0793		Exhibit 11.pdf		Likely to Use
DX0794		Exhibit 12.pdf		Likely to Use
DX0795		Exhibit 13.pdf		Likely to Use
DX0796		Exhibit 14.pdf		Likely to Use
DX0797		Exhibit 15.pdf		Likely to Use
DX0798		Exhibit 16.pdf		Likely to Use
DX0799		Exhibit 17.pdf		Likely to Use
DX0800		Exhibit 18.pdf		Likely to Use
DX0801		Exhibit 19.pdf		Likely to Use
DX0802		Exhibit 20.pdf		Likely to Use
DX0803		20210204 James Aaron Depo Trans [MDL].pdf		Likely to Use
DX0804		Read & Sign Letter.pdf		Likely to Use
DX0805		Exhibit 21.pdf		Likely to Use
DX0806		Exhibit 22.pdf		Likely to Use
DX0807		Exhibit 23.pdf		Likely to Use
DX0808		20210302 McCarthy Ed Depo Trans [MDL].pdf		Likely to Use
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DX0810		McCarthy Signature Page.pdf		Likely to Use
DX0811		Exhibit 1.pdf		Likely to Use
DX0812		Exhibit 2.pdf		Likely to Use
DX0813		Exhibit 3.pdf		Likely to Use
DX0814		20210126 Shapiro Jeffrey Depo Trans Vol I [MDL].pdf		Likely to Use
DX0815		Standard R&S Letter - Kim Moore, Esq.pd		Likely to Use
DX0816		Standard R&S Letter - Timothy Daniels, Esq.pdf		Likely to Use
DX0817		20210203 Shapiro Jeffrey Depo Trans Vol II [MDL].pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX0818		R&S (Moore-Esq).pdf		Likely to Use
DX0819		Exhibit 1.pdf		Likely to Use
DX0820		Exhibit 2.pdf		Likely to Use
DX0821		Exhibit 3.pdf		Likely to Use
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DX0824		DX0824.pdf		Likely to Use
DX0825		DX0825.pdf		Likely to Use
DX0826		Doc 2717 unsealed Redick Mosca Daubert Judge memo.pdf		Likely to Use
DX0827		Doc 2718 unsealed Redick Mosca Daubert order.pdf		Likely to Use
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DX0829		2. P_Mosca_Daubert_Hungerford_MemoInSupport.pdf		Likely to Use
DX0830		3. P_Mosca_Daubert_Hungerford_ProposedOrder.pdf		Likely to Use
DX0831		Mosca_MotionToExclude_Exhibit List.pdf		Likely to Use
DX0832		Ex.1_Dr. Hungerford Defense Expert Report.pdf		Likely to Use
DX0833		Ex.2_Dr. Hungerford Deposition.pdf		Likely to Use
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DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
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DX0862		2021-03-12 Motion [dckt 2519_19].pdf		Likely to Use
DX0863		2021.03.26 Mosca and Redick Resp to Exclude Shapiro.pdf		Likely to Use
DX0864		Ex A - 2020.07.15 Shapiro Surgeon Report BHR Final copy.pdf		Likely to Use
DX0865		Ex B - Shapiro_26a2ExpertReport_RedickPaula_20201204.pdf		Likely to Use
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DX0883		2021-10-04 Motion [dckt 3093_15].pdf		Likely to Use
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DX0885		Exhibit A Graves.pdf		Likely to Use
DX0886		Exhibit B Graves.pdf		Likely to Use
DX0887		!SN Reply to Mot to Excl Graves.pdf		Likely to Use
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DX0889		2021-10-15 Reply [dckt 3176_2].pdf		Likely to Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
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DX1016		FINAL SN Mosca Reply Brief on MILs 4848-3235-7094 v.1.pdf		Likely to Use
DX1017		Ex. A MOSCA MIL SN REPLY Heeckt email 11-19-10.pdf		Likely to Use
DX1018		Exhibit B Mosca Reply MILS- 2010 Letter.pdf		Likely to Use
DX1019		Exhibit C Mosca Reply MILS - Boucher (Sedgwick) Depo (partial).pdf		Likely to Use
DX1020		20210901 Doc 3012 memo ord Mosca MILs.pdf		Likely to Use
DX1021		20210901 Doc 3013 Mosca MILs Order Reserving.pdf		Likely to Use
DX1022		20210719 Doc 2905 memo order Mosca MSJ.pdf		Likely to Use
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DX1026		3. P_Mosca_MSJ_ProposedOrder.pdf		Likely to Use
DX1027		Ex.1_Dr. Boucher Deposition 2-7-20.pdf		Likely to Use
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DX1029		Ex.3_Collective Medical Education Materials.pdf		Likely to Use
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DX1038		Ex.12_BHR Labeling.pdf		Likely to Use
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DX1043		Ex.17_Phyliss Mosca Supplemental Answers to Interrogatories.pdf		Likely to Use

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DX1156		Mosca Renewed MSJ Memo Ruling 10-27-2021.pdf		Likely to Use
DX1157		Mosca Renewed MSJ ORDER 10-27-2021.pdf		Likely to Use
DX1158		Mosca Renewed MSJ.pdf		Likely to Use
DX1159		Mosca SN Renewd MSJ Ex A.pdf		Likely to Use
DX1160		Mosca SN Reply to Renewed MSJ.pdf		Likely to Use
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DX1162		DX1162 - Doc 2647 (00776819xA60FC).pdf		Likely to Use
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DX1164		DX1164- Doc 2647.2 Exhibit A (00776821xA60FC).PDF		Likely to Use
DX1165		DX1165 - Doc 2647.3 Exhibit B (00776822xA60FC).PDF		Likely to Use
DX1166		DX1166 - Doc 2647.4 Exhibit C (00776823xA60FC).PDF		Likely to Use
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DX1168		DX1168 - Doc 2647.6 Exhibit E (00776825xA60FC).PDF		Likely to Use
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DX1170		DX1170 - Doc 2647.8 Exhibit G.pdf		Likely to Use
DX1171		DX1171 - 2021-04-09 - [DE 2647-9] - Ex. H - FILED UNDER SEAL - SN_BHR_MDL_0172365.pdf		Likely to Use
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DX1176		DX1176 - Doc 2647.14 Exhibit M (00776833xA60FC).PDF		Likely to Use
DX1177		Metal Sensitivity-P Campbell (SN_BHR_MDL_1515843)		Likely to Use
DX1178		Main Event-10 Years of BHR (SN_BHR_MDL_3304992)		Likely to Use
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DX1180		Abstracts-Baltimore Mont 09 (SN_BHR_MDL_1007405).pdf		Likely to Use
DX1181		2009 Baltimore (SN_BHR_MDL_1059641).pdf		Likely to Use
Placeholder		Any exhibit needed to authenticate other exhibits subject to authenticity challenges by Plaintiff		May Use
Placeholder		Any exhibit needed in connection with additional trial-related depositions, witnesses, motions or rulings		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
Placeholder		Any exhibit used with deposition designations played at trial		May Use
Placeholder		Any exhibit or document needed to respond to any evidence allowed at trial in connection with or as a result of the deposition of Professor Stephen Graves		May Use
Placeholder		Any exhibit listed on Plaintiff exhibit list		May Use
Placeholder		Any exhibit needed for purposes of completeness, rebuttal, or impeachment, pursuant to applicable Federal Rules of Evidence		May Use
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Placeholder		Deposition or exhibits needed as to deposition of Professor Stephen Graves		May Use
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DX4464		DX4464 Nonlit 56.pdf		May Use
DX4465		DX4465 Nonlit 58.pdf		May Use

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DX4754		DX4754- SN_BHR_MDL_1500060.pdf		May Use
DX4755		DX4755- SN_BHR_MDL_1500063.pdf		May Use
DX4756		DX4756- SN_BHR_MDL_1500066.pdf		May Use
DX4757		DX4757- SN_BHR_MDL_1500074.pdf		May Use
DX4758		DX4758- SN_BHR_MDL_1500088.pdf		May Use
DX4759		DX4759- SN_BHR_MDL_1500091.pdf		May Use
DX4760		DX4760- SN_BHR_MDL_1500092.pdf		May Use
DX4761		DX4761- SN_BHR_MDL_1559823.pdf		May Use
DX4762		DX4762- SN_BHR_MDL_1581138.pdf		May Use
DX4763		DX4763- SN_BHR_MDL_1593572.pdf		May Use
DX4764		DX4764- SN_BHR_MDL_1715336.pdf		May Use
DX4765		DX4765- SN_BHR_MDL_1821081.pdf		May Use
DX4766		DX4766- SN_BHR_MDL_1855721.pdf		May Use
DX4767		DX4767- SN_BHR_MDL_1958961.pdf		May Use
DX4768		DX4768- SN_BHR_MDL_1979570.pdf		May Use
DX4769		DX4769- SN_BHR_MDL_1985509.pdf		May Use
DX4770		DX4770- SN_BHR_MDL_2235574.pdf		May Use
DX4771		DX4771- SN_BHR_MDL_2235576.pdf		May Use
DX4772		DX4772- SN_BHR_MDL_2290226.pdf		May Use
DX4773		DX4773- SN_BHR_MDL_2297640.pdf		May Use
DX4774		DX4774- SN_BHR_MDL_2373263.pdf		May Use
DX4775		DX4775- SN_BHR_MDL_2507640.pdf		May Use
DX4776		DX4776- SN_BHR_MDL_2537597.pdf		May Use
DX4777		DX4777- SN_BHR_MDL_2550057.pdf		May Use
DX4778		DX4778- SN_BHR_MDL_2555666.pdf		May Use
DX4779		DX4779- SN_BHR_MDL_2578636.pdf		May Use
DX4780		DX4780- SN_BHR_MDL_2598913.pdf		May Use
DX4781		DX4781- SN_BHR_MDL_2598914.pdf		May Use
DX4782		DX4782- SN_BHR_MDL_2598916.pdf		May Use
DX4783		DX4783- SN_BHR_MDL_2603190.pdf		May Use
DX4784		DX4784- SN_BHR_MDL_2623618.pdf		May Use
DX4785		DX4785- SN_BHR_MDL_2661983.pdf		May Use
DX4786		DX4786- SN_BHR_MDL_2799188.pdf		May Use
DX4787		DX4787- SN_BHR_MDL_2799256.pdf		May Use
DX4788		DX4788- SN_BHR_MDL_2799258.pdf		May Use
DX4789		DX4789- SN_BHR_MDL_2806024.pdf		May Use

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DX4791		DX4791- SN_BHR_MDL_2852222.pdf		May Use
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DX4793		DX4793- SN_BHR_MDL_3019422.pdf		May Use
DX4794		DX4794- SN_BHR_MDL_3019424.pdf		May Use
DX4795		DX4795- SN_BHR_MDL_3099023.pdf		May Use
DX4796		DX4796- SN_BHR_MDL_3240501.pdf		May Use
DX4797		DX4797- SN_BHR_MDL_3240502.pdf		May Use
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DX4815		DX4815- SN_BHR_MDL-0005478.pdf		May Use
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DX4829		DX4829- SN_BHR_MDL-0022242.pdf		May Use
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DX4831		DX4831- SN_BHR_MDL-0024730.pdf		May Use
DX4832		DX4832- SN_BHR_MDL-0024820.pdf		May Use
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DX4838		DX4838- SN_BHR_MDL-0026232.pdf		May Use
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DX4841		DX4841- 20201116 Ong Kevin Depo Trans [MDL].pdf		May Use
DX4842		DX4842- Ong 20201116 Exhibit 4.pdf		May Use
DX4843		DX4843- Ong 20201116 Exhibit 18.pdf		May Use
DX4844		DX4844- Ong 20201116 Exhibit 23.pdf		May Use
DX4845		DX4845- Ong 20201116 Exhibit 31.pdf		May Use
DX4846		DX4846- Ong 20201116 Exhibit 40.pdf		May Use
DX4847		DX4847- Ong 20201116 Exhibit 55.pdf		May Use
DX4848		DX4848- Ong 20201116 Exhibit 56.pdf		May Use
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DX4851		DX4851- Ong 20201116 Exhibit 128.pdf		May Use
DX4852		DX4852- Ong 20201116 Exhibit 139.pdf		May Use
DX4853		DX4853- Ong 20201116 Exhibit 142.pdf		May Use
DX4854		DX4854- 20201021 Bozic Kevin Depo Trans [MDL].pdf		May Use
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DX4856		DX4856- 20201021 Bozic Exhibit 2.pdf		May Use
DX4857		DX4857- 20201021 Bozic Exhibit 3.pdf		May Use
DX4858		DX4858- 20201114 Mont Michael Depo Trans [MDL].pdf		May Use
DX4859		DX4859- 20201114 Mont Exhibit 2.pdf		May Use
DX4860		DX4860- 20201114 Mont Exhibit 2B.pdf		May Use
DX4861		DX4861- 20201114 Mont Exhibit 3.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
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DX4863		DX4863- 20201114 Mont Exhibit 5.pdf		May Use
DX4864		DX4864- 20201114 Mont Exhibit 6.pdf		May Use
DX4865		DX4865- 20201114 Mont Exhibit 7.pdf		May Use
DX4866		DX4866- 20201114 Mont Exhibit 8.pdf		May Use
DX4867		DX4867- 20201114 Mont Exhibit 9.pdf		May Use
DX4868		DX4868- 20201114 Mont Exhibit 10.pdf		May Use
DX4869		DX4869- 20201114 Mont Exhibit 11.pdf		May Use
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DX4871		DX4871- 20201114 Mont Exhibit 13.pdf		May Use
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DX4886		DX4886- 20201114 Mont Exhibit 51.pdf		May Use
DX4887		DX4887- 20201114 Mont Exhibit 52.pdf		May Use
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DX4889		DX4889- 20201114 Mont Exhibit 60.pdf		May Use
DX4890		DX4890- 20201217 Cook Steve Depo Trans [MDL].pdf		May Use
DX4891		DX4891- Cook Exhibit 1.pdf		May Use
DX4892		DX4892- Cook Exhibit 2.pdf		May Use
DX4893		DX4893- Cook Exhibit 3.pdf		May Use
DX4894		DX4894- Cook Exhibit 4.pdf		May Use
DX4895		DX4895- Cook Exhibit 5.pdf		May Use
DX4896		DX4896- CookExhibit 15.pdf		May Use
DX4897		DX4897- 20201102 Kerger Brent Depo Trans [MDL].pdf		May Use

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DX4899		DX4899- 20201102 Kerger Exhibit 2.pdf		May Use
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DX4901		DX4901- 20201102 Kerger Exhibit 4.pdf		May Use
DX4902		DX4902- 20201102 Kerger Exhibit 5.pdf		May Use
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DX4904		DX4904- 20201102 Kerger Exhibit 7.pdf		May Use
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DX4906		DX4906- 20201102 Kerger Exhibit 9.pdf		May Use
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DX4911		DX4911- 20201102 Kerger Exhibit 14.pdf		May Use
DX4912		DX4912- 20201102 Kerger Exhibit 15.pdf		May Use
DX4913		DX4913- 20201119 Goldstein Dan Depo Trans [MDL].pdf		May Use
DX4914		DX4914- 20201119 Goldstein Exhibit 1.pdf		May Use
DX4915		DX4915- 20201119 Goldstein Exhibit 2.pdf		May Use
DX4916		DX4916- 20201119 Goldstein Exhibit 3.pdf		May Use
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DX4918		DX4918- 20201028 Tillman Donna-Bea Depo Trans [MDL].pdf		May Use
DX4919		DX4919- 20201028 Tillman Ex 1.pdf		May Use
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DX4933		DX4933- 20201028 Tillman Ex 15.pdf		May Use

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DX4936		DX4936- 20201028 Tillman Ex 18.pdf		May Use
DX4937		DX4937- 20201028 Tillman Ex 19.pdf		May Use
DX4938		DX4938- 20201028 Tillman Ex 20.pdf		May Use
DX4939		DX4939- 20201028 Tillman Ex 21.pdf		May Use
DX4940		DX4940- 20201028 Tillman Ex 22.pdf		May Use
DX4941		DX4941- 20201028 Tillman Ex 23.pdf		May Use
DX4942		DX4942- 20201028 Tillman Ex 24.pdf		May Use
DX4943		DX4943- 20201028 Tillman Ex 27 (2).pdf		May Use
DX4944		DX4944- 20201028 Tillman Ex 26.pdf		May Use
DX4945		DX4945- 20201028 Tillman Ex 27 (1).pdf		May Use
DX4946		DX4946- 20201028 Tillman Ex 28.pdf		May Use
DX4946A		DX4946A - CV		May Use
DX4947		DX4947- COOK_William_CV.pdf		May Use
DX4948		DX4948- Dan Goldstein CV 2019-12-26.pdf		May Use
DX4949		DX4949 - !BOZIC - BHR MDL Expert Report.pdf		May Use
DX4950		DX4950 - 1 Find guidance NICE.pdf		May Use
DX4951		DX4951 - 2 GRADE handbook.pdf		May Use
DX4952		DX4952 - Nonlit 40.pdf		May Use
DX4953		DX4953 - Kopjar_BHR_MDL_0006305.pdf		May Use
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DX4968		DX4968 - SN_BHR_MDL-0025236.pdf		May Use

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DX4970		DX4970 - COOK - BHR MDL Expert Report.pdf		May Use
DX4971		DX4971 - SN_BHR_MDL_0032250.pdf		May Use
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DX5076		DX5076 - SN_BHR_MDL-0024820.pdf		May Use

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DX5095		DX5095 - IGOLDSTEIN - BHR MDL Expert Report.pdf		May Use
DX5096		DX5096 - 3 FDA Dashboards - Inspections.pdf		May Use
DX5097		DX5097 - 4 Smith & Nephew _ UK & Ireland.pdf		May Use
DX5098		DX5098 - 5 Smith & Nephew - Orthopaedics - Contact Us.pdf		May Use
DX5099		DX5099 - 6 Smith & Nephew Endoscopy - Contact Us.pdf		May Use
DX5100		DX5100 - 7 Smith & Nephew - Contact Us (UK & Ireland).pdf		May Use
DX5101		DX5101 - 8 MAUDE - Manufacturer and User Facility Device Experience.pdf		May Use
DX5102		DX5102 - 9 FY2017 Annual FDA Medical Device Quality System Data.pdf		May Use
DX5103		DX5103 - 10 Executive Summary for the Patient Engagement Advisory Committee Meeting.pdf		May Use
DX5104		DX5104 - 11 FDA Update Transition to ISO 13485-2016 (12-5-18).pdf		May Use
DX5105		DX5105 - 12 Guidance Documents (Medical Devices and Radiation-Emitting Products) FDA.pdf		May Use
DX5106		DX5106 - 13 Standards and Conformity Assessment Program FDA.pdf		May Use
DX5107		DX5107 - Nonlit 14.pdf		May Use

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DX5112		DX5112 - Nonlit 46.pdf		May Use
DX5113		DX5113 - Nonlit 53.pdf		May Use
DX5114		DX5114 - Nonlit 57.pdf		May Use
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DX5134		DX5134 - !KERGER - BHR MDL Expert Report.pdf		May Use
DX5135		DX5135 - 14 NJR Archived annual reports.pdf		May Use
DX5136		DX5136 - 15 Frequently Asked Questions About Combination Products FDA.pdf		May Use
DX5137		DX5137 - 16 Metals Measurements in Body Tissues and Fluids.pdf		May Use
DX5138		DX5138 - 17 Understanding the reactivity of CoCrMo-implant wear particles _ npj Materials Degradation.pdf		May Use
DX5139		DX5139 - 18 Allergy in total knee arthroplasty _ The Bone & Joint Journal.pdf		May Use

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DX5142		DX5142 - Nonlit 36.pdf		May Use
DX5143		DX5143 - Nonlit 54.pdf		May Use
DX5144		DX5144 - Nonlit 55.pdf		May Use
DX5145		DX5145 - 1 MONT - BHR MDL Expert Report.pdf		May Use
DX5146		DX5146 - 20 2019 - AOANJRR.pdf		May Use
DX5147		DX5147 - 21 Reports, Publications and Minutes.pdf		May Use
DX5148		DX5148 - 22 The AJRR Annual Report.pdf		May Use
DX5149		DX5149 - 23 The Norwegian Arthroplasty Register.pdf		May Use
DX5150		DX5150 - 24 Annual reports · Svenska höftprotesregistret.pdf		May Use
DX5151		DX5151 - 25 Metal-on-Metal Hip Implants _ FDA.pdf		May Use
DX5152		DX5152 - 26 Metal-on-Metal Hip Implants.pdf		May Use
DX5153		DX5153 - 27 NJR In-depth studies.pdf		May Use
DX5154		DX5154 - 28 Metal-on-metal hip replacement implants _ Therapeutic Goods Administration (TGA).pdf		May Use
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DX6041		DX6041 A tribological study of cobalt chromium molybdenum alloys used in metal on metal resurfacing hip arthroplasty.pdf		May Use
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DX6058		DX6058 2013_AAOS AJRR Annual report.pdf		May Use
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DX6278		DX6278 Comparison of whole blood metal ion levels among four types of large head metal on metal total hip.pdf		May Use
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DX6296		DX6296 Correlation of blood cr III and adverse health effects application of PBPK modeling to determine non toxic blood concentrations.pdf		May Use
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DX6309		DX6309 Cost effectiveness of hip resurfacing in younger adults in the United States.pdf		May Use
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DX6311		DX6311 Cumulative revision rate is higher in metal on metal THA than metal on polyethylene THA.pdf		May Use
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DX6313		DX6313 Current concepts of using large femoral heads in total hip arthroplasty.pdf		May Use
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DX6330		DX6330 Diagnosing and investigating adverse reactions in metal on metal hip implants.pdf		May Use

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DX6331		DX6331 Diagnosing infection in hip replacements the use of fine needle aspiration and radiometric culture.pdf		May Use
DX6332		DX6332 Diagnosis and management of adverse local tissue reactions secondary to corrosion at the head neck junction.pdf		May Use
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DX6335		DX6335 Diagnostic utility of joint fluid metal ion measurement for histopathological findings in metal on metal hip replacement.pdf		May Use
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DX6605		DX6605 ISO 14630 2005 Non active surgical implants general requirements abstract.pdf		May Use
DX6606		DX6606 ISO 14630 2008 Non active surgical implants general requirements abstract.pdf		May Use
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DX6610		DX6610 ISO 5832 12 2007.pdf		May Use
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DX6615		DX6615 Isolation and characterization of UHMWPE wear particles down to ten nanometers in size from in vitro hip and knee joint simulators.pdf		May Use
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DX6617		DX6617 Joint registries A ptolemaic model of data interpretation.pdf		May Use
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DX6620		DX6620 Kinematics kinetics and finite element analysis of commonplace maneuvers at risk for total hip dislocation.pdf		May Use
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DX6634		DX6634 Longitudinal evaluation of time related femoral neck narrowing after metal on metal hip resurfacing.pdf		May Use
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DX6638		DX6638 Long term results of total hip replacement in young patients who had ankylosing spondylitis Eighteen to thirty year sochart DH P.pdf		May Use
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DX6643		DX6643 Lymphocyte proliferation responses in patients with pseudotumors following metal on metal hip resurfacing arthroplasty.pdf		May Use
DX6644		DX6644 Lymphocyte transformation testing LTT in cases of pain following total knee arthroplasty Little relationship to histopathologic findings and revision outcomes.pdf		May Use
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DX6650		DX6650 Mathematical evaluation of jumping distance in total hip arthroplasty Influence of abduction angle femoral head offset and head.pdf		May Use
DX6651		DX6651 00778409.PDF		May Use
DX6652		DX6652 Measurement of polyethylene wear in metal backed acetabular.pdf		May Use
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DX6654		DX6654 MDA-2010-033 medical device alert.pdf		May Use
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DX6658		DX6658 MDA-2012-016 medical device alert.pdf		May Use
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DX6669		DX6669 Metal ion levels after metal on metal total hip arthroplasty A randomized trial.pdf		May Use
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DX6671		DX6671 Metal ion levels from well functioning Birmingham hip resurfacings decline significantly at ten years.pdf		May Use
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DX6687		DX6687 Metal wear particle characterization from metal on metal tissues and isolated particles.pdf		May Use
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DX6767		DX6767 2014 NJR 11th annual report.pdf		May Use
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DX6770		DX6770 2017 NJR 14th annual report.pdf		May Use
DX6771		DX6771 2018 NJR 15th annual report.pdf		May Use
DX6772		DX6772 2019 Metal On Metal Bearing Surface Conventional Hip Arthroplasty.pdf		May Use
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DX6840		DX6840 Poor 10 year survivorship of hip resurfacing arthroplasty 5 098 replacements from the Finnish arthroplasty register.pdf		May Use
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DX6876		DX6876 Pseudotumour incidence cobalt levels and clinical outcome after large head metal on metal and conventional metal on polyethylene.pdf		May Use
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DX7012		DX7012 The clinical performance of highly cross linked UHMWPE in hip replacements pp. 57-71.pdf		May Use
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DX7068		DX7068 2008 NZJR nine year report 1999 to 2007.pdf		May Use
DX7069		DX7069 2009 NZJR ten year report 1999 to 2008.pdf		May Use
DX7070		DX7070 2010 NZJR eleven year report 1999 to 2009.pdf		May Use
DX7071		DX7071 2011 NZJR twelve year report 1999 to 2010.pdf		May Use
DX7072		DX7072 2012 NZJR thirteen year report 1999 to 2011.pdf		May Use
DX7073		DX7073 2013 NZJR fourteen year report 1999 to 2012.pdf		May Use
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DX7409		DX7409 SN_BHR_MDL_0086825.pdf		May Use
DX7410		DX7410 SN_BHR_MDL_0086889.pdf		May Use
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DX7429		DX7429 SN_BHR_MDL_0764917.pdf		May Use
DX7430		DX7430 SN_BHR_MDL_0988781.pdf		May Use
DX7431		DX7431 SN_BHR_MDL_1057732.pdf		May Use

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DX7435		DX7435 SN_BHR_MDL_1076209.pdf		May Use
DX7436		DX7436 SN_BHR_MDL_1390135.pdf		May Use
DX7437		DX7437 SN_BHR_MDL_1522848.ppt		May Use
DX7438		DX7438 SN_BHR_MDL_1574575.pdf		May Use
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DX7463		DX7463 SN_BHR_MDL_3399563.m4v		May Use
DX7464		DX7464 SN_BHR_MDL_3399566.m4v		May Use
DX7465		DX7465 SN_BHR_MDL_3399567.m4v		May Use
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DX7467		DX7467 SN_BHR_MDL_3399589.m4v		May Use

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DX7470		DX7470 SN_BHR_MDL_3399609.m4v		May Use
DX7471		DX7471 SN_BHR_MDL_3399611.m4v		May Use
DX7472		DX7472 SN_BHR_MDL_3399612.m4v		May Use
DX7473		DX7473 SN_BHR_MDL_3399616.m4v		May Use
DX7474		DX7474 SN_BHR_MDL_3399617.m4v		May Use
DX7475		DX7475 SN_BHR_MDL_3399624.mp4		May Use
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DX7477		DX7477 SN_BHR_MDL_3399653.m4v		May Use
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DX7483		DX7483 SN_BHR_MDL_3399710.m4v		May Use
DX7484		DX7484 SN_BHR_MDL_3399723.m4v		May Use
DX7485		DX7485 Hip resurfacing arthroplasty2006literature.pdf		May Use
DX7486		DX7486 2007 NJR Full Report.pdf		May Use
DX7487		DX7487 Effect of changing indications and techniques on total hip resurfacingliterature.pdf		May Use
DX7488		DX7488 2008 NJR Full Report.pdf		May Use
DX7489		DX7489 Modern metal on metal hip resurfacing Important observations from the first ten years.pdf		May Use
DX7490		DX7490 Meeting of the Hip Society.pdf		May Use
DX7491		DX7491 2009 NJR Full Report.pdf		May Use
DX7492		DX7492 AAOS releases technology overview on hip resurfacing.pdf		May Use
DX7493		DX7493 2010 Annual Report_AUS.pdf		May Use
DX7494		DX7494 2010 NJR Full Report.pdf		May Use
DX7495		DX7495 2010 AAOS Proceedings.pdf		May Use
DX7496		DX7496 Metal on metal bearings total hip arthroplasty The cobalt and chromium ions release concern.pdf		May Use
DX7497		DX7497 AAOS - hip-resurfacing-overview.pdf		May Use
DX7498		DX7498 2010 AAOS Annual Meeting Hot Topics Outcomes of resurfacing hip literature.pdf		May Use

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DX7499		DX7499 2009 You Have Your MoM s Ions .PDF		May Use
DX7500		DX7500 2010-4-22 Medical Device Alert, MHRA April 2010.PDF		May Use
DX7501		DX7501 SN_BHR_MDL_0100411.pdf		May Use
DX7502		DX7502 SN_BHR_MDL_0100413.pdf		May Use
DX7503		DX7503 SN_BHR_MDL_2291055.pdf		May Use
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DX7542		DX7542 SN_BHR_MDL_3304255.pdf		May Use
DX7543		DX7543 SN_BHR_MDL_3304933.pdf		May Use
DX7544		DX7544 - Asymptomatic pseudotumors after metal on metal hip resurfacing arthroplasty Prevalence and metal ion study.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX7545		DX7545 - Pseudotumours associated with metal-on-metal hip resurfacings Paper No 55.pdf		May Use
DX7546		DX7546 - Necrotic granulomatous pseudotumours in bilateral type IV immune response.pdf		May Use
DX7547		DX7547 - Pseudotumors associated with total hip arthroplasty.pdf		May Use
DX7548		DX7548 - Incidence and risk factors for pseudotumors in a series of 3014 metal-on-metal resurfacings.pdf		May Use
DX7549		DX7549 - Adverse soft tissue reactions around non-metal-on-metal total hip arthroplasty.pdf		May Use
DX7550		DX7550 - Granulomatous pseudotumors in total joint replacement.PDF		May Use
DX7551		DX7551 - Aggressive granulomatous lesions after hip arthroplasty.PDF		May Use
DX7552		DX7552 - Adverse tissue reactions to wear particles from Co alloy articulations increased by alumina blasting.PDF		May Use
DX7553		DX7553 - Cystic lesion of the groin due to metallosis A rare long term complication of metal on metal total hip.PDF		May Use
DX7554		DX7554 - Placeholder re Cr.PDF		May Use
DX7555		DX7555 - Five-year results of the ASR XL Acetabular System and the ASR Hip Resurfacing System An analysis.pdf		May Use
DX8000		DX8000 - 20170811 Doc 124 MACC Master Amended Consolidated Compl.PDF		May Use
DX8001		DX8001 - 20180326 Doc 608 Judge Blake's Memo Ord re Mtn Dism MACC.PDF		May Use
DX8002		DX8002 - 20180326 Doc 609 Order Dny in part Defs Mtn Dism MACC.PDF		May Use
DX8003		DX8003 - 20180427 Doc 663 Answer MACC Mstr Amend Cons Comp.pdf		May Use
DX8004		DX8004 - 20180620 Doc 799 Memo Order scope discovery.pdf		May Use
DX8005		DX8005 - 20210301 Doc 2501 memo ruling Daubert motions.pdf		May Use
DX8006		DX8006 - 20210301 Doc 2502 order Daubert motions.pdf		May Use
DX8007		DX8007 - 2018-07-20 - Smith & Nephew Responses to First Set of Interrogatories.pdf		May Use
DX8008		DX8008 - 20180820 S&N Supp Responses to 1st ROGS.pdf		May Use
DX8009		DX8009 - SN'S Objections and Responses to 8th Set of Interrogatories (00644491xA60FC).PDF		May Use

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DX8048		DX8048.PDF		May Use
DX8049		DX8049.PDF		May Use
DX8050		DX8050 - Dr. Paul Bills Report (Sedgwick).pdf		May Use
DX8051		DX8051.PDF		May Use
DX8052		DX8052 - Cook Sedgwick Production.zip		May Use
DX8053		DX8053 - McCARTHY - BHR MDL Expert Report.pdf		May Use
DX8054		DX8054 - SN_BHR_MDL-0019343-46.pdf		May Use
DX8055		DX8055 - SN_BHR_MDL-0031337.pdf		May Use
DX8056		DX8056.zip		May Use
DX8057		DX8057- hipresurfacing docs.zip		May Use
DX8058		DX8058 - website.pdf		May Use
DX8059		DX8059 - data.pdf		May Use
DX8060		DX8060 - AUS 2009.pdf		May Use
DX8061		DX8061 - Graves.pdf		May Use
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DX8080		DX8080 - SN_BHR_MDL_0573053.pdf		May Use
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DX8172		DX8172.pdf		May Use
DX8173		DX8173.pdf		May Use
DX8174		DX8174.pdf		May Use
DX8175		DX8175.pdf		May Use
DX8176		DX8176.pdf		May Use
DX8177		DX8177.pdf		May Use
DX8178		DX8178.pdf		May Use
DX8179		DX8179.pdf		May Use
DX8180		DX8180.pdf		May Use
DX8181		DX8181.pdf		May Use
DX8182		DX8182.pdf		May Use
DX8183		DX8183.pdf		May Use
DX8184		DX8184.pdf		May Use
DX8185		DX8185.pdf		May Use
DX8186		DX8186.pdf		May Use
DX8187		DX8187 - JAAOS Abstract.pdf		May Use
DX8188		DX8188 - AAOS TO Full 12.4.09.pdf		May Use
DX8189		DX8189 - AAOS Now TOC (Wayback).pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX8190		DX8190 - AAOS TO (Wayback).pdf		May Use
DX8191		DX8191 - 2_SN_BHR_MDL_1026805_VOL041.pdf		May Use
DX8192		DX8192 - 3_SN_BHR_MDL_1026806_VOL041.pdf		May Use
DX8193		DX8193 - 5_SN_BHR_MDL_1026810_VOL041.pdf		May Use
DX8194		DX8194 - 6_SN_BHR_MDL_1026815_VOL041.pdf		May Use
DX8195		DX8195 - 7_SN_BHR_MDL_1026816_VOL041.pdf		May Use
DX8196		DX8196 - 8_SN_BHR_MDL_1026817_VOL041.pdf		May Use
DX8197		DX8197 - SN_BHR_MDL_0931556.pdf		May Use
DX8198		DX8198 - SN_BHR_MDL_2199994.pdf		May Use
DX8199		DX8199 - SN_BHR_MDL_2789497.pdf		May Use
DX8200		DX8200 - SN_BHR_MDL_3498316.pdf		May Use
DX8201		DX8201 - SN_BHR_MDL_3363253.pdf		May Use
DX8202		DX8202 - SN_BHR_MDL_3363261.pdf		May Use
DX8203		DX8203 - SN_BHR_MDL_3307068.pdf		May Use
DX8204		DX8204 - SN_BHR_MDL_0385206.pdf		May Use
DX8205		DX8205 - SN_BHR_MDL_3304170.pdf		May Use
DX8206		DX8206 - SN_BHR_MDL_0759760.pdf		May Use
DX8207		DX8207.PDF		May Use
DX8208		DX8208.PDF		May Use
DX8209		DX8209.PDF		May Use
DX8210		DX8210.PDF		May Use
DX8211		DX8211.PDF		May Use
DX8212		DX8212.PDF		May Use
DX8213		DX8213.PDF		May Use
DX8214		DX8214.PDF		May Use
DX8215		DX8215.PDF		May Use
DX8216		DX8216.PDF		May Use
DX8217		DX8217.pdf		May Use
DX8218		DX8218 - SN_BHR_MDL_0385480_VOL027.pdf		May Use
DX8219		DX8219 - SN_BHR_MDL_2666975-79.pdf		May Use
DX8220		DX8220 - SN_BHR_MDL_2309689.pdf		May Use
DX8221		DX8221 - SN_BHR_MDL_0886634-72.pdf		May Use
DX9000		DX9000 - 1_SN_BHR_MDL-0029198_VOL001.pdf		May Use
DX9001		DX9001 - 2_SN_BHR_MDL-0031389_VOL001.pdf		May Use
DX9002		DX9002 - 3. PAS Protocol v. 3 1-2011-SN_BHR_MDL_0079246.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9003		DX9003 - 2. PAS Protocol Version 2 S004 10-06-SN_BHR_MDL_0106167.pdf		May Use
DX9004		DX9004 - 6_SN_BHR_MDL_0265150_VOL027.pdf		May Use
DX9005		DX9005 - 7_SN_BHR_MDL_0265151_VOL027.pdf		May Use
DX9006		DX9006 - 8_SN_BHR_MDL_0265154_VOL027.pdf		May Use
DX9007		DX9007 - 4. PAS Protocol version 4 9-2011-SN_BHR_MDL_0619104.pdf		May Use
DX9008		DX9008 - 2_SN_BHR_MDL_0743271_VOL034.pdf		May Use
DX9009		DX9009 - 1_SN_BHR_MDL_0743274_VOL034.pdf		May Use
DX9010		DX9010 - 10_SN_BHR_MDL_0743359_VOL034.pdf		May Use
DX9011		DX9011 - 4_SN_BHR_MDL_0743362_VOL034.pdf		May Use
DX9012		DX9012 - 5_SN_BHR_MDL_0743364_VOL034.pdf		May Use
DX9013		DX9013 - 3_SN_BHR_MDL_0743365_VOL034.pdf		May Use
DX9014		DX9014 - 2_SN_BHR_MDL_0743377_VOL034.pdf		May Use
DX9015		DX9015 - 1_SN_BHR_MDL_0743382_VOL034.pdf		May Use
DX9016		DX9016 - 9_SN_BHR_MDL_0743394_VOL034.pdf		May Use
DX9017		DX9017 - 1. PMA 12-2005 PAS Protocol-SN_BHR_MDL_0802375.pdf		May Use
DX9018		DX9018 - SN_BHR_MDL_2425192.pdf		May Use
DX9019		DX9019 - SN_BHR_MDL_2425283.pdf		May Use
DX9020		DX9020 - SN_BHR_MDL_3204108_VOL062PART2.pdf		May Use
DX9021		DX9021 - SN_BHR_MDL_3204142_VOL062PART2.pdf		May Use
DX9022		DX9022 - SN_BHR_MDL_3284610_VOL062PART2.pdf		May Use
DX9023		DX9023 - SN_BHR_MDL-0027008.pdf		May Use
DX9024		DX9024 - SN_BHR_MDL-0027424.pdf		May Use
DX9025		DX9025 - SN_BHR_MDL-0027503.pdf		May Use
DX9026		DX9026 - SN_BHR_MDL-0027550.pdf		May Use
DX9027		DX9027 - SN_BHR_MDL-0027555.pdf		May Use
DX9028		DX9028 - SN_BHR_MDL-0027591.pdf		May Use
DX9029		DX9029 - SN_BHR_MDL-0027607.pdf		May Use
DX9030		DX9030 - SN_BHR_MDL-0027651.pdf		May Use
DX9031		DX9031 - SN_BHR_MDL-0027676.pdf		May Use
DX9032		DX9032 - SN_BHR_MDL-0027725.pdf		May Use
DX9033		DX9033 - SN_BHR_MDL-0027801.pdf		May Use
DX9034		DX9034 - SN_BHR_MDL-0027818.pdf		May Use
DX9035		DX9035 - SN_BHR_MDL-0027857.pdf		May Use
DX9036		DX9036 - SN_BHR_MDL-0027874.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9037		DX9037 - SN_BHR_MDL-0027884.pdf		May Use
DX9038		DX9038 - SN_BHR_MDL-0027928.pdf		May Use
DX9039		DX9039 - SN_BHR_MDL-0028743.pdf		May Use
DX9040		DX9040 - SN_BHR_MDL-0028829.pdf		May Use
DX9041		DX9041 - SN_BHR_MDL-0028973.pdf		May Use
DX9042		DX9042 - SN_BHR_MDL-0029037.pdf		May Use
DX9043		DX9043 - SN_BHR_MDL-0029102.pdf		May Use
DX9044		DX9044 - 2017.05.04 S&N - 132 Month PAS Submission.pdf		May Use
DX9045		DX9045 - 2018.05.02 S&N - 144 Month PAS Submission.pdf		May Use
DX9046		DX9046 - SN_BHR_MDL_1048124_VOL042.pdf		May Use
DX9047		DX9047 - SN_BHR_MDL_1048212_VOL042.pdf		May Use
DX9048		DX9048 - SN_BHR_MDL_2425176_VOL055NOSUFFIXSupp.pdf		May Use
DX9049		DX9049 - 21 CFR 7.3.pdf		May Use
DX9050		DX9050 - 21 CFR 7.49.pdf		May Use
DX9051		DX9051 - 21 CFR 201.6.pdf		May Use
DX9052		DX9052 - 21 CFR 201.57.pdf		May Use
DX9053		DX9053 - 21 CFR 201.80.pdf		May Use
DX9054		DX9054 - 21 CFR 201.128.pdf		May Use
DX9055		DX9055 - 21 CFR 801.109.pdf		May Use
DX9056		DX9056 - 21 CFR 803.1 What does this part cover.pdf		May Use
DX9057		DX9057 - 21 CFR 803.3 How does FDA define the terms used in this part.pdf		May Use
DX9058		DX9058 - 21 CFR 803.9 What information from the reports do we disclose to the pub.pdf		May Use
DX9059		DX9059 - 21 CFR 803.10 Generally wht are the reporting requirements that apply me.pdf		May Use
DX9060		DX9060 -21 CFR 803.11 What form should I use to submit rpts of individual adverse.pdf		May Use
DX9061		DX9061 - 21 CFR 803.12 How do I subt initial and supplemental or followup reports.pdf		May Use
DX9062		DX9062 - 21 CFR 803.13 Do I need to submit reports in English.pdf		May Use
DX9063		DX9063 - 21 CFR 803.15 How will I know if u req more information about my med de.pdf		May Use
DX9064		DX9064 -21 CFR 803.16 When I subt a rpt does the information in my rpt constitute.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9065		DX9065 - 21 CFR 803.17 What are the reqs for developing maintaining and implementi.pdf		May Use
DX9066		DX9066 - 21 CFR 803.18 What r the reqs for establishing and maintaining MDR file.pdf		May Use
DX9067		DX9067 - 21 CFR 803.19 Are there exemtions variances or alternative .pdf		May Use
DX9068		DX9068 - 21 CFR 803.20 How do I cmplt and sbmt an individual adverse event report.pdf		May Use
DX9069		DX9069 - 21 CFR 803.21 Where can I find the rpt codes for adverse events .pdf		May Use
DX9070		DX9070 - 21 CFR 803.22 Wht are the crcmsts in which I am not reqd to file a rep.pdf		May Use
DX9071		DX9071 - 21 CFR 803.23 Where can I find info on how to prepare & submit an MDR in.pdf		May Use
DX9072		DX9072 - 21 CFR 803.30 If I am a usr facility what rptng reqmts apply to me.pdf		May Use
DX9073		DX9073 - 21 CFR 803.32 If I am a usr facility what info must I submt in my indivi.pdf		May Use
DX9074		DX9074 - 21 CFR 803.33 If I'm a usr fcilty what must I incld when I submt annual.pdf		May Use
DX9075		DX9075 - 21 CFR 803.40 If I am an importer what reporting rqmts apply to me.pdf		May Use
DX9076		DX9076 - 21 CFR 803.42 If I am an importer what info must I submit in my indivl.pdf		May Use
DX9077		DX9077 - 21 CFR 803.50 If I am a manufacturer what rpt rqmts apply to me.pdf		May Use
DX9078		DX9078 - 21 CFR 803.52 If I am a manufactr what info must I submit in my individ.pdf		May Use
DX9079		DX9079 - 21 CFR 803.53 If I am a manufctr in which circumsts must I submit a 5day.pdf		May Use
DX9080		DX9080 - 21 CFR 803.56 If I am a manufctr in what crcmstcs must I submit a suppl.pdf		May Use
DX9081		DX9081 - 21 CFR 803.58 Foreign manufacturers.pdf		May Use
DX9082		DX9082 - 21 CFR 806.1 Scope.pdf		May Use
DX9083		DX9083 - 21 CFR 806.2 Definitions.pdf		May Use
DX9084		DX9084 - 21 CFR 806.10 Reports of corrs and removals.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9085		DX9085 - 21 CFR 806.20 Records of corrections and removals not required to be reported.pdf		May Use
DX9086		DX9086 - 21 CFR 806.30 FDA acces 2 rclds.pdf		May Use
DX9087		DX9087 - 21 CFR 806.40 Public availability of reprts.pdf		May Use
DX9088		DX9088 - 21 CFR 814.1 Scope.pdf		May Use
DX9089		DX9089 - 21 CFR 814.2 Purpose.pdf		May Use
DX9090		DX9090 - 21 CFR 814.3 Definitions.pdf		May Use
DX9091		DX9091 - 21 CFR 814.9 Confidentiality of data information in pma pproval appl.pdf		May Use
DX9092		DX9092 - 21 CFR 814.15 Research conducted outside the United States.pdf		May Use
DX9093		DX9093 - 21 CFR 814.17 Service of orders.pdf		May Use
DX9094		DX9094 -21 CFR 814.19 Product development protocol (PDP).pdf		May Use
DX9095		DX9095 - 21 CFR 814.20 Application.pdf		May Use
DX9096		DX9096 - 21 CFR 814.37 PMA amndts and resubmitted PMAs.pdf		May Use
DX9097		DX9097 - 21 CFR 814.39 PMA supplements.pdf		May Use
DX9098		DX9098 - 21 CFR 814.40 Time frames for reviewing a PMA.pdf		May Use
DX9099		DX9099 - 21 CFR 814.42 Filing a PMA.pdf		May Use
DX9100		DX9100 - 21 CFR 814.44 Procedures for review of a PMA.pdf		May Use
DX9101		DX9101 - 21 CFR 814.45 Denial of approval of a PMA.pdf		May Use
DX9102		DX9102 - 21 CFR 814.46 Withdrawal of approval of a PMA.pdf		May Use
DX9103		DX9103 - 21 CFR 814.47 Temp suspension of appl of a PMA.pdf		May Use
DX9104		DX9104 - 21 CFR 814.80 General.pdf		May Use
DX9105		DX9105 - 21 CFR 814.82 Postapproval requirements.pdf		May Use
DX9106		DX9106 - 21 CFR 814.84 Reports.pdf		May Use
DX9107		DX9107 - 21 CFR 814.100 Purpose and scope.pdf		May Use
DX9108		DX9108 - 21 CFR 814.102 Designation of HUD status.pdf		May Use
DX9109		DX9109 - 21 CFR 814.104 Original applications.pdf		May Use
DX9110		DX9110 - 21 CFR 814.106 HDE amndmts and resubmitted HDE's.pdf		May Use
DX9111		DX9111 - 21 CFR 814.108 Supplemental applications.pdf		May Use
DX9112		DX9112 - 21 CFR 814.110 New indications for use.pdf		May Use
DX9113		DX9113 - 21 CFR 814.112 Filing an HDE.pdf		May Use
DX9114		DX9114 - 21 CFR 814.114 Timeframes for reviewing an HDE.pdf		May Use
DX9115		DX9115 - 21 CFR 814.116 Procedures for review of an HDE.pdf		May Use
DX9116		DX9116 - 21 CFR 814.118 Denial -withdrawal of approval of an HDE.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9117		DX9117 - 21 CFR 814.120 Temporary suspension of approval of an HDE.pdf		May Use
DX9118		DX9118 - 21 CFR 814.122 Confidentiality of data and info.pdf		May Use
DX9119		DX9119 - 21 CFR 814.124 Institutional Review Board reqmts.pdf		May Use
DX9120		DX9120 - 21 CFR 814.126 Postapproval reqmts and reports.pdf		May Use
DX9121		DX9121 - 21 CFR 820.1 Scope.pdf		May Use
DX9122		DX9122 - 21 CFR 820.3 Definitions.pdf		May Use
DX9123		DX9123 - 21 CFR 820.5 Quality system.pdf		May Use
DX9124		DX9124 - 21 CFR 820.20 Management responsibility.pdf		May Use
DX9125		DX9125 - 21 CFR 820.22 Quality audit.pdf		May Use
DX9126		DX9126 - 21 CFR 820.25 Personnel.pdf		May Use
DX9127		DX9127 - 21 CFR 820.30 Design controls.pdf		May Use
DX9128		DX9128 - 21 CFR 820.40 Document controls.pdf		May Use
DX9129		DX9129 - 21 CFR 820.50 Purchasing controls.pdf		May Use
DX9130		DX9130 - 21 CFR 820.60 Identification.pdf		May Use
DX9131		DX9131 - 21 CFR 820.65 Traceability.pdf		May Use
DX9132		DX9132 - 21 CFR 820.70 Production and process controls.pdf		May Use
DX9133		DX9133 - 21 CFR 820.72 Inspection measuring and test equipment.pdf		May Use
DX9134		DX9134 - 21 CFR 820.75 Process validation.pdf		May Use
DX9135		DX9135 - 21 CFR 820.80 Receivng in-process and finished device accpt.pdf		May Use
DX9136		DX9136 - 21 CFR 820.86 Acceptance status.pdf		May Use
DX9137		DX9137 - 21 CFR 820.90 Nonconforming product.pdf		May Use
DX9138		DX9138 - 21 CFR 820.100 Corrective and preventive action.pdf		May Use
DX9139		DX9139 - 21 CFR 820.120 Device labeling.pdf		May Use
DX9140		DX9140 - 21 CFR 820.130 Device packaging.pdf		May Use
DX9141		DX9141 - 21 CFR 820.140 Handling.pdf		May Use
DX9142		DX9142 - 21 CFR 820.150 Storage.pdf		May Use
DX9143		DX9143 - 21 CFR 820.160 Distribution.pdf		May Use
DX9144		DX9144 - 21 CFR 820.170 Installation.pdf		May Use
DX9145		DX9145 - 21 CFR 820.180 General requirements.pdf		May Use
DX9146		DX9146 - 21 CFR 820.181 Device master record.pdf		May Use
DX9147		DX9147 - 21 CFR 820.184 Device history record.pdf		May Use
DX9148		DX9148 - 21 CFR 820.186 Quality system record.pdf		May Use
DX9149		DX9149 - 21 CFR 820.198 Complaint files.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9150		DX9150 - 21 CFR 820.200 Servicing.pdf		May Use
DX9151		DX9151 - 21 CFR 820.250 Statistical techniques.pdf		May Use
DX9152		DX9152 - 21 CFR 822.8.pdf		May Use
DX9153		DX9153 - 21 CFR 860.7.pdf		May Use
DX9154		DX9154 - 21 USC 321.pdf		May Use
DX9155		DX9155 - 21 USC 331.pdf		May Use
DX9156		DX9156 - 21 USC 333.pdf		May Use
DX9157		DX9157 - 21 USC 337.pdf		May Use
DX9158		DX9158 - 21 USC 351.pdf		May Use
DX9159		DX9159 - 21 USC 352.pdf		May Use
DX9160		DX9160 - 21 USC 355.pdf		May Use
DX9161		DX9161 - 21 USC 360.pdf		May Use
DX9162		DX9162 - 21 USC 360c.pdf		May Use
DX9163		DX9163 - 21 USC 379i.pdf		May Use
DX9164		DX9164 - Federal Food Drug and Cosmetic Act.pdf		May Use
DX9164A		DX9164A - 21 CFR 10.30 Citizen petition.pdf		May Use
DX9164B		DX9164B - 21 CFR 14.25 Portions of advisory committee meetings.pdf		May Use
DX9164C		DX9164C- 21 USC 360e Premarket approval.pdf		May Use
DX9164D		DX9164D -21 USC 360j General provisions respecting control of devices intended for.pdf		May Use
DX9164E		DX9164E - 69 FR 10390.pdf		May Use
DX9165		DX9165 - Acceptance and Filing Reviews for Premarket Approval Applications (PMAs).pdf		May Use
DX9166		DX9166 - Acceptance of Clinical Data to Support Medical Device Applications and Submissions.pdf		May Use
DX9167		DX9167 - Annual Reports for Approved Premarket Approval Applications (PMA).pdf		May Use
DX9168		DX9168 - Device Labeling _ FDA website.pdf		May Use
DX9169		DX9169 - Device Labeling Guidance #G91-1 (Blue Book Memo) _ FDA.pdf		May Use
DX9170		DX9170 - Draft Report on Medical Device Labeling_ Patients' and Lay Caregivers' Medical Device Information and LAbeling NEeds; Results of Qualitative Research.pdf		May Use
DX9171		DX9171 - Early Collaboration Meetings Under the FDA Modernization Act (FDAMA).pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9172		DX9172 - Evaluation and Reporting of Age- Race- and Ethnicity-Specific Data in Medical Device Clinical Studies.pdf		May Use
DX9173		DX9173 - FDA and Industry Acts on Premarket Approval Apps (PMAs) Effect on FDA Review Clock and Goals - Guidance for Industry and Food and Drug A.pdf		May Use
DX9174		DX9174 - Guidance on Medical Device Patient Labeling; Final Guidance for Industry and FDA Reviewers.pdf		May Use
DX9175		DX9175 - Guidance on PMA Interactive Procedures for Day-100 Meetings and Susequent Deficiencies.pdf		May Use
DX9176		DX9176 - Labeling Regulatory Requirements for Medical Devices (pre-1997).pdf		May Use
DX9177		DX9177 - Medical Product Communications That Are Consistent With the FDA-Required Labeling — Questions and Answers Guidance for Industry.pdf		May Use
DX9178		DX9178 - Modifications to Devices Subject to Premarket Approval (PMA) - The PMA Supplement Decision-Making Process.pdf		May Use
DX9179		DX9179 - Patient-Reported Outcome Measures Use in Medical Product Development to Support Labeling Claims.pdf		May Use
DX9180		DX9180 - Premarket Approval Application Modular Review.pdf		May Use
DX9181		DX9181 - Procedures for Meetings of the Medical Devices Advisory Committee - Guidance for Industry and Food and Drug Administration Staff.pdf		May Use
DX9182		DX9182 - Quality System Information for Certain Premarket Application Reviews.pdf		May Use
DX9183		DX9183 - Real-Time Premarket Approval Application (PMA) Supplements - Guidance for Industry and FDA Staff.pdf		May Use
DX9184		DX9184 - Statistical Guidance on Reporting Results from Studies Evaluating Diagnostic Tests.pdf		May Use
DX9185		DX9185 - Supplements to Approved Applications for Class III Medical Devices.pdf		May Use
DX9186		DX9186 - The Least Burdensome Provisions of the FDA Modernization Act of 1997_ Concept and Principles_Final Guidance for FDA and Industry.pdf		May Use
DX9187		DX9187 - SN_BHR_MDL-0000518.pdf		May Use
DX9188		DX9188 - SN_BHR_MDL_1163206.pdf		May Use
DX9189		DX9189 - SN_BHR_MDL_1182985.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9190		DX9190 - SN_BHR_MDL_1482630.pdf		May Use
DX9191		DX9191 - SN_BHR_MDL_1915823.pdf		May Use
DX9192		DX9192 - SN_BHR_MDL_1300772.pdf		May Use
DX9193		DX9193 - SN_BHR_MDL_1296301.pdf		May Use
DX9194		DX9194 - SN_BHR_MDL_1299698.pdf		May Use
DX9195		DX9195 - SN_BHR_MDL_1296381.pdf		May Use
DX9196		DX9196 - SN_BHR_MDL_1299264.pdf		May Use
DX9197		DX9197 - SN_BHR_MDL_1296387.pdf		May Use
DX9198		DX9198 - SN_BHR_MDL_1296405.pdf		May Use
DX9199		DX9199 - SN_BHR_MDL_1299952.pdf		May Use
DX9200		DX9200 - SN_BHR_MDL_1296396.pdf		May Use
DX9201		DX9201 - SN_BHR_MDL_0868432.pdf		May Use
DX9202		DX9202 - SN_BHR_MDL_0868434.pdf		May Use
DX9203		DX9203 - SN_BHR_MDL_0104139.pdf		May Use
DX9204		DX9204 - SN_BHR_MDL_0351094.pdf		May Use
DX9205		DX9205 - SN_BHR_MDL_0852067.pdf		May Use
DX9206		DX9206 - SN_BHR_MDL_3250234.pdf		May Use
DX9207		DX9207 - SN_BHR_MDL_0580973.pdf		May Use
DX9208		DX9208 - SN_BHR_MDL_0401016.pdf		May Use
DX9209		DX9209 - SN_BHR_MDL_3250278.pdf		May Use
DX9210		DX9210 - SN_BHR_MDL_0454215.pdf		May Use
DX9211		DX9211 - SN_BHR_MDL_0306759.pdf		May Use
DX9212		DX9212 - SN_BHR_MDL_0868038.pdf		May Use
DX9213		DX9213 - SN_BHR_MDL_3250886.pdf		May Use
DX9214		DX9214 - SN_BHR_MDL_0110893.pdf		May Use
DX9215		DX9215 - SN_BHR_MDL_0110896.pdf		May Use
DX9216		DX9216 - SN_BHR_MDL_1111175.pdf		May Use
DX9217		DX9217 - SN_BHR_MDL_0622578.pdf		May Use
DX9218		DX9218 - SN_BHR_MDL_0905145.pdf		May Use
DX9219		DX9219 - SN_BHR_MDL_1674800.pdf		May Use
DX9220		DX9220 - SN_BHR_MDL_1042783.pdf		May Use
DX9221		DX9221 - SN_BHR_MDL_0329742.pdf		May Use
DX9222		DX9222 - SN_BHR_MDL_0329743.pdf		May Use
DX9223		DX9223 - SN_BHR_MDL_0902906.pdf		May Use
DX9224		DX9224 - SN_BHR_MDL_0902907.xlsx		May Use
DX9225		DX9225 - SN_BHR_MDL_0885957.pdf		May Use

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DX9226		DX9226 - SN_BHR_MDL_0885958.pdf		May Use
DX9227		DX9227 - SN_BHR_MDL_1007834.pdf		May Use
DX9228		DX9228 - SN_BHR_MDL_0885804.pdf		May Use
DX9229		DX9229 - SN_BHR_MDL_0885805.pdf		May Use
DX9230		DX9230 - SN_BHR_MDL_1010127.pdf		May Use
DX9231		DX9231 - SN_BHR_MDL_0906182.pdf		May Use
DX9232		DX9232 - SN_BHR_MDL_1210915.pdf		May Use
DX9233		DX9233 - SN_BHR_MDL_1009218.pdf		May Use
DX9234		DX9234 - SN_BHR_MDL_1009255.pdf		May Use
DX9235		DX9235 - SN_BHR_MDL_0925592.pdf		May Use
DX9236		DX9236 - SN_BHR_MDL_1009486.pdf		May Use
DX9237		DX9237 - SN_BHR_MDL_1009536.pdf		May Use
DX9238		DX9238 - SN_BHR_MDL_1009590.pdf		May Use
DX9239		DX9239 - SN_BHR_MDL_0905557.pdf		May Use
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DX9246		DX9246 - SN_BHR_MDL_0899615.pdf		May Use
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DX9248		DX9248 - SN_BHR_MDL_0197031.pdf		May Use
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DX9261		DX9261 - SN_BHR_MDL_1661281.pdf		May Use

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DX9264		DX9264 - SN_BHR_MDL_0330923.pdf		May Use
DX9265		DX9265 - SN_BHR_MDL_0747361.pdf		May Use
DX9266		DX9266 - SN_BHR_MDL_0747362.pdf		May Use
DX9267		DX9267 - SN_BHR_MDL_0815245.pdf		May Use
DX9268		DX9268 - SN_BHR_MDL_0105048.pdf		May Use
DX9269		DX9269 - SN_BHR_MDL_0922458.pdf		May Use
DX9270		DX9270 - SN_BHR_MDL_0922462.pdf		May Use
DX9271		DX9271 - SN_BHR_MDL_0922503.pdf		May Use
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DX9273		DX9273 - SN_BHR_MDL_0925315.pdf		May Use
DX9274		DX9274 - SN_BHR_MDL_0920722.pdf		May Use
DX9275		DX9275 - SN_BHR_MDL_1126788.pdf		May Use
DX9276		DX9276 - SN_BHR_MDL_0195707.pdf		May Use
DX9277		DX9277 - SN_BHR_MDL_0894463.pdf		May Use
DX9278		DX9278 - SN_BHR_MDL_0871415.pdf		May Use
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DX9283		DX9283 - SN_BHR_MDL_1272769.pdf		May Use
DX9284		DX9284 - SN_BHR_MDL_0799116.pdf		May Use
DX9285		DX9285 - SN_BHR_MDL_1156001.pdf		May Use
DX9286		DX9286 - SN_BHR_MDL_1154529.pdf		May Use
DX9287		DX9287 - SN_BHR_MDL_1154531.pdf		May Use
DX9288		DX9288 - SN_BHR_MDL_1156845.pdf		May Use
DX9289		DX9289 - SN_BHR_MDL_0795247.pdf		May Use
DX9290		DX9290 - SN_BHR_MDL_0032899.pdf		May Use
DX9291		DX9291 - SN_BHR_MDL_0032907.pdf		May Use
DX9292		DX9292 - SN_BHR_MDL_0032915.pdf		May Use
DX9293		DX9293 - SN_BHR_MDL_0032925.pdf		May Use
DX9294		DX9294 - SN_BHR_MDL_0032942.pdf		May Use
DX9295		DX9295 - SN_BHR_MDL_0032959.pdf		May Use
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DX9299		DX9299 - SN_BHR_MDL_0033031.pdf		May Use
DX9300		DX9300 - SN_BHR_MDL_0033050.pdf		May Use
DX9301		DX9301 - SN_BHR_MDL_0033065.pdf		May Use
DX9302		DX9302 - SN_BHR_MDL_2357471.pdf		May Use
DX9303		DX9303 - SN_BHR_MDL_0033138.pdf		May Use
DX9304		DX9304 - SN_BHR_MDL_0033152.pdf		May Use
DX9305		DX9305 - SN_BHR_MDL_0033163.pdf		May Use
DX9306		DX9306 - SN_BHR_MDL_0033176.pdf		May Use
DX9307		DX9307 - SN_BHR_MDL_0033193.pdf		May Use
DX9308		DX9308- SN_BHR_MDL_0994033.pdf		May Use
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DX9311		DX9311- SN_BHR_MDL_0076418.pdf		May Use
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DX9333		DX9333- SN_BHR_MDL_1794619.pdf		May Use

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DX9337		DX9337- SN_BHR_MDL_2838801.pdf		May Use
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DX9341		DX9341- SN_BHR_MDL_3490143.pdf		May Use
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DX9367		DX9367 - 006_SN_BHR_MDL_0032819.pdf		May Use
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DX9371		DX9371 - 010_SN_BHR_MDL_0032886.pdf		May Use
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DX9374		DX9374 - 013_SN_BHR_MDL_0032899.pdf		May Use
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DX9409		DX9409 - 048_SN_BHR_MDL_0076581.pdf		May Use
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DX9469		DX9469 - SN_BHR_MDL_2628673.pdf		May Use
DX9470		DX9470 - SN_BHR_MDL_2628674.pdf		May Use
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DX9474		DX9474 - SN_BHR_MDL_3403016.pdf		May Use
DX9475		DX9475 - SN_BHR_MDL_3403620.pdf		May Use
DX9476		DX9476 - SN_BHR_MDL_3418716.pdf		May Use
DX9477		DX9477- SN_BHR_MDL_3418717.pdf		May Use

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DX9480		DX9480 - SN_BHR_MDL_3418795.pdf		May Use
DX9481		DX9481 - SN_BHR_MDL_3422031.pdf		May Use
DX9482		DX9482 - SN_BHR_MDL_3423103.pdf		May Use
DX9483		DX9483 - AOANJRR Ad Hoc Report 214 - SN_BHR_MDL_0922175.pdf		May Use
DX9484		DX9484 - 2009 AOANJRR Ad Hoc Report (1999-2008) (408) SN_BHR_MDL_0975377.pdf		May Use
DX9485		DX9485 - 2009.9.25 AOANJRR Ad Hoc Report (1999-2008) (425) SN_BHR_MDL_0931567_VOL041.pdf		May Use
DX9486		DX9486 - AOANJRR Ad Hoc Report 456 - SN_BHR_MDL_1642431.pdf		May Use
DX9487		DX9487 - 2010.11.10 AOANJRR Ad Hoc Report (1999-2009) (581) SN_BHR_MDL_0969936.pdf		May Use
DX9488		DX9488 - AOANJRR Ad Hoc Report 625 - SN_BHR_MDL_0886079.pdf		May Use
DX9489		DX9489 - AOANJRR Ad Hoc Report 709 - SN_BHR_MDL_1580013.pdf		May Use
DX9490		DX9490 - AOANJRR Ad Hoc Report 783 - SN_BHR_MDL_0752089_VOL034.pdf		May Use
DX9491		DX9491 - AOANJRR Ad Hoc Report 820 - SN_BHR_MDL_0874729.pdf		May Use
DX9492		DX9492 - 2012.1.18 AOANJRR Ad Hoc Report (1999-2010) (827) SN_BHR_MDL_0776459.pdf		May Use
DX9493		DX9493 - AOANJRR Ad Hoc Report 858 - SN_BHR_MDL_1280867.pdf		May Use
DX9494		DX9494 - AOANJRR Ad Hoc Report 906 (TGA Unpublished) - SN_BHR_MDL_2277599.pdf		May Use
DX9495		DX9495 - AOANJRR Ad Hoc Report 926 - SN_BHR_MDL_1861079.pdf		May Use
DX9496		DX9496 - Req 214 - SN_BHR_MDL_0922172.pdf		May Use
DX9497		DX9497 - Req 404, 425, 440 - SN_BHR_MDL_3026697.xls		May Use
DX9498		DX9498 - Req 408 - SN_BHR_MDL_0777009.pdf		May Use
DX9499		DX9499 - Req 456 - SN_BHR_MDL_1642428.pdf		May Use
DX9500		DX9500 - Req 581 - SN_BHR_MDL_3131266.pdf		May Use
DX9501		DX9501 - Req 625 - SN_BHR_MDL_0886024.pdf		May Use
DX9502		DX9502 - Req 709 - SN_BHR_MDL_2884641.pdf		May Use
DX9503		DX9503 - Req 820 - SN_BHR_MDL_0949033.pdf		May Use
DX9504		DX9504 - Req 827 - SN_BHR_MDL_2580281.xls		May Use
DX9505		DX9505 - Req 858 - SN_BHR_MDL_0910765.pdf		May Use
DX9506		DX9506 - Req 906 - SN_BHR_MDL_2277598.pdf		May Use
DX9507		DX9507 - 2000 Annual Report.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9508		DX9508 - 2001 Annual Report.pdf		May Use
DX9509		DX9509 - 2002 Annual Report.pdf		May Use
DX9510		DX9510 - 2003 Annual Report.pdf		May Use
DX9511		DX9511 - 2003 Corrigenda.pdf		May Use
DX9512		DX9512 - 2004 Annual Report AUS.pdf		May Use
DX9513		DX9513 - 2005 Annual Report AUS.pdf		May Use
DX9514		DX9514 - 2006 Annual Report_AUS.pdf		May Use
DX9515		DX9515 - 2007 Annual Report_AUS.pdf		May Use
DX9516		DX9516 - 2008 Annual Report_AUS.pdf		May Use
DX9517		DX9517 - 2009 Annual Report_AUS.pdf		May Use
DX9518		DX9518 - 2010 Annual Report_AUS.pdf		May Use
DX9519		DX9519 - 2011 Annual Report_AUS.pdf		May Use
DX9520		DX9520 - 2012 Annual Report_AUS.pdf		May Use
DX9521		DX9521 - 2013 Annual Report_AUS.pdf		May Use
DX9522		DX9522 - 2014 Annual Report_AUS.pdf		May Use
DX9523		DX9523 - 2015 Annual Report_AUS.pdf		May Use
DX9524		DX9524 - 2016 Annual Report_AUS.pdf		May Use
DX9525		DX9525 - 2017 Annual Report AUS.pdf		May Use
DX9526		DX9526 - 2018 Annual Report AUS.pdf		May Use
DX9527		DX9527 - 2019 Annual report AUS.pdf		May Use
DX9528		DX9528 - 2006 NZJR Seven Year Report 1999 to 2005.pdf		May Use
DX9529		DX9529 - 2007 NZJR Eight Year Report 1999 to 2006.pdf		May Use
DX9530		DX9530 - 2008 NZJR Nine Year Report 1999 to 2007.pdf		May Use
DX9531		DX9531 - 2009 NZJR Ten Year Report 1999 to 2008.pdf		May Use
DX9532		DX9532 - 2010 NZJR Eleven Year Report 1999 to 2009.pdf		May Use
DX9533		DX9533 - 2011 NZJR Twelve Year Report 1999 to 2010.pdf		May Use
DX9534		DX9534 - 2012 NZJR Thirteen Year Report 1999 to 2011.pdf		May Use
DX9535		DX9535 - 2013 NZJR Fourteen Year Report 1999 to 2012.pdf		May Use
DX9536		DX9536 - 2014 NZJR Fifteen Year Report 1999 to 2013.pdf		May Use
DX9537		DX9537 - 2015 NZJR Sixteen Year Report 1999 to 2014.pdf		May Use
DX9538		DX9538 - 2016 NZJR Seventeen Year Report 1999 to 2015.pdf		May Use
DX9539		DX9539 - 2017 NZJR Eighteen Year Report 1999 to 2016.pdf		May Use
DX9540		DX9540 - 2018 NZJR Nineteen Year Report 1999 to 2017.pdf		May Use
DX9541		DX9541 - 2019 NZJR Twenty Year Report 1999 to 2018.pdf		May Use
DX9542		DX9542 - 2020 NZJR Twenty One Year Report 1999 to 2019.pdf		May Use
DX9543		DX9543 - 2002 Swedish Annual Report.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9544		DX9544 - 2003 Swedish Annual Report.PDF		May Use
DX9545		DX9545 - 2004 Swedish Annual Report.pdf		May Use
DX9546		DX9546 - 2005 Swedish Annual Report.pdf		May Use
DX9547		DX9547 - 2006 Swedish Annual Report.pdf		May Use
DX9548		DX9548 - 2007 Swedish Annual Report.PDF		May Use
DX9549		DX9549 - 2008 Swedish Annual Report Shortened Version.pdf		May Use
DX9550		DX9550 - 2009 Swedish Annual Report Shortened Version.pdf		May Use
DX9551		DX9551 - 2010 Swedish Annual Report.PDF		May Use
DX9552		DX9552 - 2011 Swedish Annual Report.pdf		May Use
DX9553		DX9553 - 2012 Swedish Annual Report.pdf		May Use
DX9554		DX9554 - 2013 Swedish Annual Report.pdf		May Use
DX9555		DX9555 - 2014 Swedish Annual Report.pdf		May Use
DX9556		DX9556 - 2015 Swedish Annual Report.pdf		May Use
DX9557		DX9557 - 2016 Swedish Annual Report.pdf		May Use
DX9558		DX9558 - 2017 Swedish Annual Report.pdf		May Use
DX9559		DX9559 - 2018 Swedish Annual Report.pdf		May Use
DX9560		DX9560 - 2004 NJR 1st Annual Report Data to 12.31.03.pdf		May Use
DX9561		DX9561 - 2005 NJR 2nd Annual Report Data to 12.31.04.PDF		May Use
DX9562		DX9562 - 2006 NJR 3rd Annual Clinical Report Data to 12.31.05.pdf		May Use
DX9563		DX9563 - 2007 NJR 4th Annual Report Data to 12.31.06.pdf		May Use
DX9564		DX9564 - 2008 NJR 5th Annual Report Data to 12.31.07.pdf		May Use
DX9565		DX9565 - 2009 NJR 6th Annual Report Data to 12.31.08.PDF		May Use
DX9566		DX9566 - 2010 NJR 7th Annual Report Data to 12.31.09 (2010 NJR 7th Annual Report Data to 12.31.09.pdf;1).pdf		May Use
DX9567		DX9567 - 2011 NJR 8th Annual Report Data to 12.31.10.pdf		May Use
DX9568		DX9568 - 2012 NJR 9th Annual Report Data to 12.31.11.pdf		May Use
DX9569		DX9569 - 2013 NJR 10th Annual Report Full Report.pdf		May Use
DX9570		DX9570 - 2014 NJR 11th Annual Report.pdf		May Use
DX9571		DX9571 - 2015 NJR 12th Annual Report.pdf		May Use
DX9572		DX9572 - 2016 NJR 13th Annual Report.pdf		May Use
DX9573		DX9573 - 2017 NJR 14th Annual Report.pdf		May Use
DX9574		DX9574 - 2018 NJR 15th Annual Report.pdf		May Use
DX9575		DX9575 - 2019 NJR 16th Annual Report.pdf		May Use
DX9576		DX9576 - 2020 NJR 17th Annual Report.pdf		May Use
DX9577		DX9577 - 2002 Report.PDF		May Use
DX9578		DX9578 - 2003 Report.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9579		DX9579 - 2004 Report.pdf		May Use
DX9580		DX9580 - 2005 Report Web.pdf		May Use
DX9581		DX9581 - 2006 Arthro Report.pdf		May Use
DX9582		DX9582 - 2007 Report.pdf		May Use
DX9583		DX9583 - 2008 Report.pdf		May Use
DX9584		DX9584 - 2009 Additional national trends.pdf		May Use
DX9585		DX9585 - 2009 Report.pdf		May Use
DX9586		DX9586 - 2010 Data for 2010 Report.pdf		May Use
DX9587		DX9587 - 2010 Report.pdf		May Use
DX9588		DX9588 - 2012 SAP National Report.pdf		May Use
DX9589		DX9589 - 2014_0812 SAP Report.pdf		May Use
DX9590		DX9590 - 2016_0809 SAP Report.pdf		May Use
DX9591		DX9591 - 2017_0808 SAP Publication Report.pdf		May Use
DX9592		DX9592 - 2002 Report Norwegian Arthroplasty Register.pdf		May Use
DX9593		DX9593 - 2003 Report Norwegian Arthroplasty Register.pdf		May Use
DX9594		DX9594 - 2004 Report Norwegian Arthroplasty Register.PDF		May Use
DX9595		DX9595 - 2005 Report Norwegian Arthroplasty Register.pdf		May Use
DX9596		DX9596 - 2006 Report Norwegian Arthroplasty Register.pdf		May Use
DX9597		DX9597 - 2007 Report Norwegian Arthroplasty Register.pdf		May Use
DX9598		DX9598 - 2008 Report Norwegian Arthroplasty Register.pdf		May Use
DX9599		DX9599 - 2009 Report Norwegian Arthroplasty Register.pdf		May Use
DX9600		DX9600 - 2010 Report Norwegian Arthroplasty Register.pdf		May Use
DX9601		DX9601 - 2015 Report Norwegian Arthroplasty Register.pdf		May Use
DX9602		DX9602 - 2016 Report Norwegian Arthroplasty Register.pdf		May Use
DX9603		DX9603 - 2017 Report Norwegian Arthroplasty Register.pdf		May Use
DX9604		DX9604 - RIPO 2011.pdf		May Use
DX9605		DX9605 - RIPO 2012.pdf		May Use
DX9606		DX9606 - RIPO 2013.pdf		May Use
DX9607		DX9607 - RIPO 2014.pdf		May Use
DX9608		DX9608 - RIPO 2015.pdf		May Use
DX9609		DX9609 - RIPO 2016.pdf		May Use
DX9610		DX9610 - RIPO 2017.pdf		May Use
DX9611		DX9611 - 2008 Swedish Hip BHR ASR (Excerpt).pdf		May Use
DX9612		DX9612 - AdvaMed Code of Ethics Apr 2005.pdf		May Use
DX9613		DX9613 - AdvaMed Code of Ethics July 2009.pdf		May Use
DX9614		DX9614 - SN_BHR_MDL_0686466_2012 SalesRepPolicyManual.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
DX9615		DX9615 - SN_BHR_MDL_0686562_2011 SalesRepPolicyManual.pdf		May Use
DX9616		DX9616 - SN_BHR_MDL_0032671.pdf		May Use
DX9617		DX9617 - SN_BHR_MDL_0032699.pdf		May Use
DX9618		DX9618 - SN_BHR_MDL_0032727.pdf		May Use
DX9619		DX9619 - SN_BHR_MDL_0032761.pdf		May Use
DX9620		DX9620 - SN_BHR_MDL_0032795.pdf		May Use
DX9621		DX9621 - SN_BHR_MDL_0032819.pdf		May Use
DX9622		DX9622 - SN_BHR_MDL_0032840.pdf		May Use
DX9623		DX9623 - SN_BHR_MDL_0032859.pdf		May Use
DX9624		DX9624 - SN_BHR_MDL_0032873.pdf		May Use
DX9625		DX9625 - SN_BHR_MDL_0032886.pdf		May Use
DX9626		DX9626 - SN_BHR_MDL_0032899.pdf		May Use
DX9627		DX9627 - SN_BHR_MDL_0032907.pdf		May Use
DX9628		DX9628 - SN_BHR_MDL_0032915.pdf		May Use
DX9629		DX9629 - SN_BHR_MDL_0032925.pdf		May Use
DX9630		DX9630 - SN_BHR_MDL_0032942.pdf		May Use
DX9631		DX9631 - SN_BHR_MDL_0032959.pdf		May Use
DX9632		DX9632 - SN_BHR_MDL_0032976.pdf		May Use
DX9633		DX9633 - SN_BHR_MDL_0032994.pdf		May Use
DX9634		DX9634 - SN_BHR_MDL_0033012.pdf		May Use
DX9635		DX9635 - SN_BHR_MDL_0033031.pdf		May Use
DX9636		DX9636 - SN_BHR_MDL_0033050.pdf		May Use
DX9637		DX9637 - SN_BHR_MDL_0033065.pdf		May Use
DX9638		DX9638 - SN_BHR_MDL_0033079.pdf		May Use
DX9639		DX9639 - SN_BHR_MDL_0033089.pdf		May Use
DX9640		DX9640 - SN_BHR_MDL_0033098.pdf		May Use
DX9641		DX9641 - SN_BHR_MDL_0033107.pdf		May Use
DX9642		DX9642 - SN_BHR_MDL_0033116.pdf		May Use
DX9643		DX9643 - SN_BHR_MDL_0033127.pdf		May Use
DX9644		DX9644 - SN_BHR_MDL_0033138.pdf		May Use
DX9645		DX9645 - SN_BHR_MDL_0033152.pdf		May Use
DX9646		DX9646 - SN_BHR_MDL_0033163.pdf		May Use
DX9647		DX9647 - SN_BHR_MDL_0033176.pdf		May Use
DX9648		DX9648 - SN_BHR_MDL_0033193.pdf		May Use
DX9649		DX9649 - SN_BHR_MDL_0229920_VOL025.pdf		May Use
DX9650		DX9650 - SN_BHR_MDL_0076430.pdf		May Use

DX Number	Admitted	Document Name / Description	Plaintiff Objections	Likely to Use / May Use
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DX9652		DX9652 - SN_BHR_MDL_0076458.pdf		May Use
DX9653		DX9653 - SN_BHR_MDL_0076467.pdf		May Use
DX9654		DX9654 - SN_BHR_MDL_0076482.pdf		May Use
DX9655		DX9655 - SN_BHR_MDL_0076487.pdf		May Use
DX9656		DX9656 - SN_BHR_MDL_0076504.pdf		May Use
DX9657		DX9657 - SN_BHR_MDL_0076521.pdf		May Use
DX9658		DX9658 - SN_BHR_MDL_0076537.pdf		May Use
DX9659		DX9659 - SN_BHR_MDL_0076544.pdf		May Use
DX9660		DX9660 - SN_BHR_MDL_0076553.pdf		May Use
DX9661		DX9661 - SN_BHR_MDL_0076568.pdf		May Use
DX9662		DX9662 - SN_BHR_MDL_0076581.pdf		May Use
DX9663		DX9663 - SN_BHR_MDL_0622578.pdf		May Use
DX9664		DX9664 - SN_BHR_MDL-0000001.pdf		May Use
DX9665		DX9665 - SN_BHR_MDL-0000230.pdf		May Use
DX9666		DX9666 - SN_BHR_MDL-0000518.pdf		May Use
DX9667		DX9667 - SN_BHR_MDL-0001068.pdf		May Use
DX9668		DX9668 - SN_BHR_MDL-0001257.pdf		May Use
DX9669		DX9669 - SN_BHR_MDL-0001634.pdf		May Use
DX9670		DX9670 - SN_BHR_MDL-0001638.pdf		May Use
DX9671		DX9671 - SN_BHR_MDL-0001672.pdf		May Use
DX9672		DX9672 - SN_BHR_MDL-0002029.pdf		May Use
DX9673		DX9673 - SN_BHR_MDL-0002156.pdf		May Use
DX9674		DX9674 - SN_BHR_MDL-0002802.pdf		May Use
DX9675		DX9675 - SN_BHR_MDL-0003111.pdf		May Use
DX9676		DX9676 - SN_BHR_MDL-0003114.pdf		May Use
DX9677		DX9677 - SN_BHR_MDL-0003329.pdf		May Use
DX9678		DX9678 - SN_BHR_MDL-0003366.pdf		May Use
DX9679		DX9679 - SN_BHR_MDL-0003390.pdf		May Use
DX9680		DX9680 - SN_BHR_MDL-0003713.pdf		May Use
DX9681		DX9681 - SN_BHR_MDL-0003736.pdf		May Use
DX9682		DX9682 - SN_BHR_MDL-0004210.pdf		May Use
DX9683		DX9683 - SN_BHR_MDL-0004718.pdf		May Use
DX9684		DX9684 - SN_BHR_MDL-0004935.pdf		May Use
DX9685		DX9685 - SN_BHR_MDL-0005299.pdf		May Use
DX9686		DX9686 - SN_BHR_MDL-0005478.pdf		May Use

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DX9687		DX9687 - SN_BHR_MDL-0005874.pdf		May Use
DX9688		DX9688 - SN_BHR_MDL-0006271.pdf		May Use
DX9689		DX9689 - SN_BHR_MDL-0006667.pdf		May Use
DX9690		DX9690 - SN_BHR_MDL-0006806.pdf		May Use
DX9691		DX9691 - SN_BHR_MDL-0007152.pdf		May Use
DX9692		DX9692 - SN_BHR_MDL-0007537.pdf		May Use
DX9693		DX9693 - SN_BHR_MDL-0007758.pdf		May Use
DX9694		DX9694 - SN_BHR_MDL-0007847.pdf		May Use
DX9695		DX9695 - SN_BHR_MDL-0008028.pdf		May Use
DX9696		DX9696 - SN_BHR_MDL-0008239.pdf		May Use
DX9697		DX9697 - SN_BHR_MDL-0008524.pdf		May Use
DX9698		DX9698 - SN_BHR_MDL-0008797.pdf		May Use
DX9699		DX9699 - SN_BHR_MDL-0009121.pdf		May Use
DX9700		DX9700 - SN_BHR_MDL-0009347.pdf		May Use
DX9701		DX9701 - SN_BHR_MDL-0009573.pdf		May Use
DX9702		DX9702 - SN_BHR_MDL-0009603.pdf		May Use
DX9703		DX9703 - SN_BHR_MDL-0009687.pdf		May Use
DX9704		DX9704 - SN_BHR_MDL-0009733.pdf		May Use
DX9705		DX9705 - SN_BHR_MDL-0009844.pdf		May Use
DX9706		DX9706 - SN_BHR_MDL-0009858.pdf		May Use
DX9707		DX9707 - SN_BHR_MDL-0009864.pdf		May Use
DX9708		DX9708 - SN_BHR_MDL-0010309.pdf		May Use
DX9709		DX9709 - SN_BHR_MDL-0010356.pdf		May Use
DX9710		DX9710 - SN_BHR_MDL-0013053.pdf		May Use
DX9711		DX9711 - SN_BHR_MDL-0013253.pdf		May Use
DX9712		DX9712 - SN_BHR_MDL-0013516.pdf		May Use
DX9713		DX9713 - SN_BHR_MDL-0017738.pdf		May Use
DX9714		DX9714 - SN_BHR_MDL-0017990.pdf		May Use
DX9715		DX9715 - SN_BHR_MDL-0018179.pdf		May Use
DX9716		DX9716 - SN_BHR_MDL-0018554.pdf		May Use
DX9717		DX9717 - SN_BHR_MDL-0018736.pdf		May Use
DX9718		DX9718 - SN_BHR_MDL-0018770.pdf		May Use
DX9719		DX9719 - SN_BHR_MDL-0019143.pdf		May Use
DX9720		DX9720 - SN_BHR_MDL-0019291.pdf		May Use
DX9721		DX9721 - SN_BHR_MDL-0019387.pdf		May Use
DX9722		DX9722 - SN_BHR_MDL-0019613.pdf		May Use

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DX9723		DX9723 - SN_BHR_MDL-0019721.pdf		May Use
DX9724		DX9724 - SN_BHR_MDL-0019958.pdf		May Use
DX9725		DX9725 - SN_BHR_MDL-0021126.pdf		May Use
DX9726		DX9726 - SN_BHR_MDL-0021316.pdf		May Use
DX9727		DX9727 - SN_BHR_MDL-0021475.pdf		May Use
DX9728		DX9728 - SN_BHR_MDL-0021659.pdf		May Use
DX9729		DX9729 - SN_BHR_MDL-0022242.pdf		May Use
DX9730		DX9730 - SN_BHR_MDL-0022448.pdf		May Use
DX9731		DX9731 - SN_BHR_MDL-0022530.pdf		May Use
DX9732		DX9732 - SN_BHR_MDL-0022939.pdf		May Use
DX9733		DX9733 - SN_BHR_MDL-0023096.pdf		May Use
DX9734		DX9734 - SN_BHR_MDL-0023276.pdf		May Use
DX9735		DX9735 - SN_BHR_MDL-0023400.pdf		May Use
DX9736		DX9736 - SN_BHR_MDL-0023556.pdf		May Use
DX9737		DX9737 - SN_BHR_MDL-0023915.pdf		May Use
DX9738		DX9738 - SN_BHR_MDL-0024000.pdf		May Use
DX9739		DX9739 - SN_BHR_MDL-0024004.pdf		May Use
DX9740		DX9740 - SN_BHR_MDL-0024118.pdf		May Use
DX9741		DX9741 - SN_BHR_MDL-0024183.pdf		May Use
DX9742		DX9742 - SN_BHR_MDL-0024599.pdf		May Use
DX9743		DX9743 - SN_BHR_MDL-0024678.pdf		May Use
DX9744		DX9744 - SN_BHR_MDL-0024725.pdf		May Use
DX9745		DX9745 - SN_BHR_MDL-0024730.pdf		May Use
DX9746		DX9746 - SN_BHR_MDL-0024810.pdf		May Use
DX9747		DX9747 - SN_BHR_MDL-0024813.pdf		May Use
DX9748		DX9748 - SN_BHR_MDL-0024820.pdf		May Use
DX9749		DX9749 - SN_BHR_MDL-0024957.pdf		May Use
DX9750		DX9750 - SN_BHR_MDL-0025236.pdf		May Use
DX9751		DX9751 - SN_BHR_MDL-0025482.pdf		May Use
DX9752		DX9752 - SN_BHR_MDL-0025740.pdf		May Use
DX9753		DX9753 - SN_BHR_MDL-0025935.pdf		May Use
DX9754		DX9754 - SN_BHR_MDL-0026232.pdf		May Use
DX9755		DX9755 - SN_BHR_MDL-0026613.pdf		May Use
DX9756		DX9756 - SN_BHR_MDL-0026747.pdf		May Use
DX9757		DX9757 - SN_BHR_MDL-0031337.pdf		May Use
DX9758		DX9758 - SN_BHR_MDL-0031341.pdf		May Use

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DX9759		DX9759 - SN_BHR_MDL-0031353.pdf		May Use
DX9760		DX9760 - SN_BHR_MDL-0031370.pdf		May Use
DX9761		DX9761 - SN_BHR_MDL-0031924.pdf		May Use
DX9762		DX9762 - SN_BHR_MDL-0031926.pdf		May Use
DX9763		DX9763 - SN_BHR_MDL-0031927.pdf		May Use
DX9764		DX9764 - SN_BHR_MDL-0031954.pdf		May Use
DX9765		DX9765 - SN_BHR_MDL-0031955.pdf		May Use
DX9766		DX9766 - SN_BHR_MDL-0031957.pdf		May Use
DX9767		DX9767 - SN_BHR_MDL-0031959.pdf		May Use
DX9768		DX9768 - SN_BHR_MDL-0031963.pdf		May Use
DX9769		DX9769 - SN_BHR_MDL_2223590.pdf		May Use
DX9770		DX9770 - SN_BHR_MDL_0590090_10.10 Rev B BHR Surgical Technique.pdf		May Use
DX9771		DX9771 - SN_BHR_MDL_0194098_12.05 BHR Patient Info.pdf		May Use
DX9772		DX9772 - SN_BHR_MDL_0032611_10.16 BHR Surgical Technique.pdf		May Use
DX9773		DX9773 - SN_BHR_MDL_0032559_10.10 Rev A BHR Surgical Technique.pdf		May Use
DX9774		DX9774 - SN_BHR_MDL_0032507_01.07_BHR Surgical Technique.pdf		May Use
DX9775		DX9775 - SN_BHR_MDL_0032447_06.16 BHR IFU.pdf		May Use
DX9776		DX9776 - SN_BHR_MDL_0032423_05.13 BHR IMI.pdf		May Use
DX9777		DX9777 - SN_BHR_MDL_0032398_10.10 BHR IMI.pdf		May Use
DX9778		DX9778 - SN_BHR_MDL_0032373_09.10 BHR IMI (1).pdf		May Use
DX9779		DX9779 - SN_BHR_MDL_0032348_12.09 BHR IMI.pdf		May Use
DX9780		DX9780 - SN_BHR_MDL_0032323_11.08 BHR IMI.pdf		May Use
DX9781		DX9781 - SN_BHR_MDL_0032274_07.08 BHRIMI.pdf		May Use
DX9782		DX9782 - SN_BHR_MDL_0032250_12.05 BHR IMI.pdf		May Use
DX9783		DX9783.pdf		May Use
DX9798		DX9798.pdf		May Use

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

PHYLISS MOSCA

v.

SMITH & NEPHEW, INC.

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Civil Action No. CCB-18-03520

EXHIBIT D – PLAINTIFF’S PROPOSED VOIR DIRE

1. I will now read a description of the case. The plaintiff, the person who is bringing this lawsuit, is Phyliss Mosca. She is suing the defendant, Smith & Nephew, Inc., for injuries she claims resulted from Ms. Mosca’s hip implant, a medical device manufactured by Smith & Nephew known as Birmingham Hip Resurfacing or “BHR.” The BHR is a “metal-on-metal” hip resurfacing device subject to regulation by the U.S. Food and Drug Administration. Ms. Mosca received the BHR hip implant from her surgeon in May 2010, and later in 2018 the BHR was removed and replaced by her doctor with a different hip implant, in a surgical procedure called a total hip arthroplasty or “THA.” Her claims involve alleged negligence related to statements she says were made to her doctor before her implant in 2010 and which she alleges were false or misleading. Smith & Nephew denies it was negligent or that its conduct caused Ms. Mosca’s alleged injuries or damages. Have any of you heard about or read about this case, or do any of you know anything about this case?
2. Specifically, does anyone know either plaintiff Phyliss Mosca, or any of their family members?
3. Ms. Mosca is represented by several lawyers, whom you will see in the courtroom. I will list their names: Gabriel Assaad, Kyle Farrar, Robert Jenner, Katie Kerner, Jasper Ward, and Genevieve Zimmerman. Do any of you recognize any of these names or think you know any of these lawyers, either socially or professionally?

4. Have you read or heard anything about the company that is the defendant in this case, Smith & Nephew?
5. Smith & Nephew also is represented by several lawyers, whom you will see in the courtroom. I will list their names: Timothy Daniels, Kim Moore, Terri Reiskin, Stephen Myers, and Paul Zidlicky. Do any of you recognize any of these names or think you know any of these lawyers, either socially or professionally?
6. Smith & Nephew may have corporate representatives present in the courtroom. I will list the name: Elizabeth Mitchell. Do any of you recognize any of these names or think you know any of these representatives?
7. Each side is expected to call witnesses to testify in this case, either in person or by a videotape recording. I am going to read you a list of names of persons who may be witnesses. It is a long list, but not everyone will be called to testify. We are also listing some of the people whose names may be mentioned in the course of trial, even if they do not testify themselves. My question for you is whether you recognize any of these names or think you know any of these potential witnesses. If you do, in addition to checking the Yes box on your answer sheet, please jot down the name so you will be sure to remember it when we ask you follow-up questions later.
8. Does anyone on the panel know me or any person on the Court staff?
9. Looking around, do any of you know any of the other prospective jurors?
10. To the best of your knowledge, do you or anyone you know have any interest, financial or otherwise, in the outcome of this case?
11. Have you or your spouse or partner ever served in the military?
12. Have you ever worked for or had interactions with the Food and Drug Administration (FDA)?
13. Do you have any particularly strong opinions, either negative or positive, about the FDA?

14. Have you ever worked for any other government regulatory agency or in a position that involved frequent interactions with a government regulatory agency?
15. Do you or a member of your immediate family or anyone close to you have special knowledge, training, work, or other experience in the legal field?
16. Do you, or a member of your immediate family, or anyone close to you have special knowledge, training, work, or other experience in the medical or healthcare field, including homeopathic or holistic medicine, counseling or mental health services, and including the sale of medical devices?
17. Have you, or a member of your immediate family, or anyone close to you ever had a medical device implant, such as a hip, knee, or other joint replacement, mesh, or some other type of implant?
18. Even if you have not had a hip implant yourself, have you read or heard anything about the use of implants in hip replacement surgery generally?
19. Have you read or heard anything about a procedure called the Birmingham Hip Resurfacing (BHR) procedure?
20. Have you had any current or past health issues with any of the following: arthritis, tendonitis, knee or hip pain, [cancer?] or allergies or sensitivities to any type of metal [or other?] materials?
21. Have you or a member of your immediate family or anyone close to you ever had a particularly negative experience with a doctor, hospital, medical facility, or medical procedure?

22. Have you ever had a particularly bad experience with a large corporation?
23. Have you experienced any significant loss within the past five years, such as the death of a spouse, partner, or child, a divorce or separation, the loss of a house or a job, or a particularly serious injury, illness, or financial hardship?
24. Have you ever filed a claim or a lawsuit for money damages, including a workers' compensation claim?
25. Have you ever had a claim or lawsuit filed against you?
26. Have you ever served on a jury?
27. Do you exercise regularly?
28. Do you now or have you ever used tobacco products regularly?
29. Are you the primary caretaker for someone in need of daily care or assistance?
- ~~30. Do you hold the opinion that if a lawsuit, such as this, has been filed, there must be some merit to the claims?~~
31. In a civil case, the plaintiff (meaning Ms. Mosca, who is bringing claims against Smith & Nephew) has what we call the burden of proof, meaning she must prove her claims by a certain standard, which will be defined for you. If you believed that the plaintiff did not meet her burden of proof, would you have any difficulty returning a verdict in favor of the defendant, Smith & Nephew?

32. Ms. Mosca will ask for an award of money damages, for such items as medical expenses and emotional distress. These are called compensatory damages. If you believe that the plaintiff has met her burden of proof, is there any reason you would be unwilling to award compensatory money damages?
33. Punitive damages may be recoverable under the law when a plaintiff offers evidence of aggravating circumstances, including evidence of fraud, malice, or willful or wanton conduct by the defendant. If the plaintiff proved such conduct by the defendant in this case, is there any reason you would be unwilling to award punitive money damages?
34. Smith & Nephew is a corporation. Under the law, a corporation must be given the same fair treatment as you would give individuals, such as Ms. Mosca. Would you have any difficulty treating Smith & Nephew the same as you would an individual?
35. As you were advised when you were summonsed for this case, we expect it to last as long as four weeks. You would need to be here from approximately 9:30 to 5:00 at least Monday through Thursday or Friday for all four weeks. Jury service is often inconvenient, but it is a crucial public service. Is there anyone on the panel for whom it would be a particularly severe business or personal hardship if we ask you to serve on this jury for the next four weeks?
36. Do you have any physical, mental, or medical conditions that might make it difficult for you to sit in the jury box, listen to the witnesses, and read the documents that may be admitted as exhibits in this case?
37. Do you have any personal, moral, religious, or other beliefs and opinions that might make it difficult for you to serve as a juror and return a fair verdict in this case?

38. At the end of the case, I will give you instructions on the law which must govern your decision. Would you have any difficulty or hesitation applying the law as it is given to you, even if you do not agree with it?
39. Is there any reason at all, whether or not I have managed to ask you about it, why it would be difficult for you to sit as a juror in this courtroom, pay careful attention to the testimony and exhibits, and return a fair verdict based only on the evidence and the instructions of law I will give you?

Exhibit L Plaintiffs' Deposition Designations

Troup, Tom 6/19/2019			
Begin Page	Begin Line	End Page	End Line
5	14	5	23
6	7	6	9
54	5	54	19
72	22	73	5
73	20	73	22
74	15	75	23
76	8	76	10
76	17	77	10
78	1	78	24
81	2	81	19
81	21	83	3
83	22	85	10
86	6	86	17
87	22	88	4
90	1	91	20
97	4	100	7
100	22	101	9

Band, Timothy 7 9 2019			
Begin Page	Begin Line	End Page	End Line
6	22	6	24
10	9	10	14
74	23	77	14
78	13	79	21
83	12	86	1
89	16	89	25
170	23	171	13
173	3	173	8
173	22	174	2
174	8	176	24
181	7	185	23
187	2	189	25
212	11	212	20
217	25	218	8
229	2	232	8
238	4	239	8
241	21	242	15
243	4	243	8
243	14	243	23
245	9	245	18
247	14	248	12
249	25	255	16
257	10	258	15
263	16	271	17

Band, Timothy 1 22 2020			
Begin Page	Begin Line	End Page	End Line
8	14	8	18
11	22	12	5
17	12	18	1
20	4	20	16
45	9	45	16
56	16	57	1
57	24	59	10
60	4	62	13
63	5	65	16
67	2	68	2
70	7	70	8
70	14	75	8
75	19	76	1
77	24	78	17
81	16	83	17
210	18	212	6
212	19	214	22
248	2	248	22
249	13	250	3
250	7	250	11
252	2	253	5
253	15	254	3
254	14	254	21
255	7	255	9

Amin, Naseem 10 17 2019			
Begin Page	Begin Line	End Page	End Line
6	7	6	8
13	15	13	22
24	3	24	5
25	2	25	23
26	16	26	20
30	21	30	25
31	6	31	17
37	21	42	16
43	2	44	7
44	13	45	9
46	3	47	11
47	19	48	8
54	10	54	19
72	22	75	8
107	7	108	24
111	13	111	17
116	5	117	5
118	5	118	8
118	17	121	20
123	22	124	21
132	14	133	16
140	3	140	12
141	8	141	20
142	1	143	15
155	14	161	17
162	14	163	20
165	18	170	23
175	16	177	15
178	24	179	24
180	4	180	16
182	11	183	14
187	4	187	18
191	24	192	9
193	15	196	3
197	1	197	13
203	22	203	25
204	14	208	8
208	23	211	5
213	20	221	15
224	2	232	9
252	1	252	8

Deweese, Blair - 8-16-19			
Begin Page	Begin Line	End Page	End Line
5	25	7	2
20	25	21	4
28	16	29	7
31	24	33	19
66	21	67	11
68	3	68	13
69	6	71	19
75	14	75	22
76	2	76	9
76	15	76	19
78	9	78	16
81	22	82	3
83	7	84	7
84	22	84	25
86	12	86	17
91	6	93	12
99	15	104	11
112	3	120	3
133	2	134	15
136	1	137	17
143	3	146	1
146	22	148	2
149	10	149	18
150	1	150	24
151	17	153	8

Kristiansen, Audra			
Begin Page	Begin Line	End Page	End Line
6	11	6	20
10	16	12	1
13	6	14	16
15	22	18	21
41	20	42	24
44	9	45	10
45	15	50	3
55	18	56	11
56	17	56	21
57	3	57	7
59	2	59	19
63	2	63	24
66	9	66	10
66	16	67	3
67	15	67	24

Michael Dayton, July 22, 2020			
Begin Page	Begin Line	End Page	End Line
6	3	6	16
12	5	12	13
14	10	15	3
16	2	16	14
17	4	17	14
18	12	18	17
21	2	23	2
24	9	24	13
31	7	32	1
34	2	35	8
81	16	81	19
84	19	85	23
86	15	87	5
91	20	92	5
93	16	93	18
94	3	95	10
96	15	98	3
98	8	99	12
101	16	103	5
104	2	104	14

Heeckt, Peter 12-1-2020			
Begin Page	Begin Line	End Page	End Line
14	10	14	18
39	7	41	10
41	18	42	6
43	14	44	19
49	4	49	10
49	17	50	8
50	21	52	7
83	10	84	2
91	8	95	3
96	2	99	18
103	11	106	8
119	11	126	5
126	21	127	2
129	15	130	8
142	7	142	18
143	5	143	16
147	21	151	13
152	9	155	10
185	10	187	16
188	12	188	17
189	10	190	7
192	5	193	20
194	4	194	7
194	17	195	14
201	12	201	13
201	20	206	15
210	5	210	6
210	19	211	5
212	22	214	10
230	6	231	1
246	7	246	13
246	22	247	13
250	2	250	6
250	18	251	3
258	8	260	19

Waugh, Mark 6-13-19			
Begin Page	Begin Line	End Page	End Line
9	21	9	23
13	5	13	24
15	25	19	12
23	24	27	6
31	23	33	10
33	24	34	3
34	14	38	8
44	21	55	3
57	1	57	24
58	7	61	14
70	6	70	24
71	10	72	14
73	3	73	10
73	24	75	13
76	1	76	3
95	15	106	18
152	8	159	5
160	4	160	13
161	1	161	4
161	20	162	17
164	14	166	9
183	10	183	21
206	5	206	15
207	2	209	23

Fraser, John 10-24-18			
Begin Page	Begin Line	End Page	End Line
7	16	8	3
10	11	11	6
47	23	56	2
60	19	62	15
63	7	63	14
65	24	67	13
70	6	70	24
95	6	95	18
96	8	96	22
105	8	110	8
112	22	113	5
113	20	114	19
115	5	117	6
120	7	121	20
122	8	123	5
128	20	131	17
147	17	150	14
152	7	153	15
174	10	191	15
193	19	194	11

Kopjar, Branko 8-14-19			
Begin Page	Begin Line	End Page	End Line
5	18	5	24
9	6	9	21
12	18	13	13
15	12	16	12
17	9	17	17
18	1	18	25
29	11	30	5
38	2	45	12
46	18	47	7
59	23	60	14
69	23	71	11
72	17	78	14
78	22	78	24
80	15	81	23
83	5	84	3
84	23	85	19
86	2	88	12
98	3	99	1
105	19	110	15
112	1	113	22
181	23	182	9

Telling, David 1-15-20			
Begin Page	Begin Line	End Page	End Line
6	5	6	6
7	14	7	20
8	11	8	25
9	13	9	16
9	25	12	7
18	21	18	24
23	24	26	1
27	7	27	21
30	17	30	23
33	16	33	20
46	6	48	13
56	11	63	15
95	15	96	22
97	11	100	6
103	9	107	9
108	2	108	21
109	7	111	3
111	22	113	16

Telling, David 8-28-20			
Begin Page	Begin Line	End Page	End Line
6	19	7	11
16	18	17	17
18	2	19	25
24	15	25	15

Della Valle, Craig 7-9-20			
Begin Page	Begin Line	End Page	End Line
7	24	8	8
9	7	9	14
13	17	14	21
15	19	18	19
19	11	20	7
21	4	23	2
28	5	29	13
32	10	32	20
33	3	34	4
36	20	37	14
91	17	91	23
93	1	95	13
99	12	100	17

Waugh, Mark 1-28-21			
Begin Page	Begin Line	End Page	End Line
5	20	5	24
39	11	42	15
42	24	43	19
71	4	74	1
74	13	75	8

Exhibit F – Smith & Nephew's Affirmative Deposition Designations

Deponent	Depo Date	Issues	From	To
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	006:07	006:08
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	013:15	013:22
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	013:23	014:02
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	015:01	015:11
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	019:01	019:12
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	021:10	023:15
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	024:03	025:23
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	037:21	040:01
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	041:21	042:08
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	238:07	239:04
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	239:21	240:13
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	240:14	240:19
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	243:14	251:23
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	252:09	252:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	257:19	258:03
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	261:08	263:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	265:08	265:24
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	267:03	267:09
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Affirmative Designation	269:07	269:11
Band, Timothy	07/09/2019	Defense Affirmative Designation	006:22	006:24
Band, Timothy	07/09/2019	Defense Affirmative Designation	010:03	010:08
Band, Timothy	07/09/2019	Defense Affirmative Designation	011:15	012:03
Band, Timothy	07/09/2019	Defense Affirmative Designation	016:24	017:15
Band, Timothy	07/09/2019	Defense Affirmative Designation	017:16	018:04
Band, Timothy	07/09/2019	Defense Affirmative Designation	018:09	018:14
Band, Timothy	07/09/2019	Defense Affirmative Designation	023:05	023:11
Band, Timothy	07/09/2019	Defense Affirmative Designation	023:13	023:22
Band, Timothy	07/09/2019	Defense Affirmative Designation	069:10	069:12
Band, Timothy	07/09/2019	Defense Affirmative Designation	089:16	089:25
Band, Timothy	07/09/2019	Defense Affirmative Designation	241:21	242:03
Band, Timothy	07/09/2019	Defense Affirmative Designation	257:18	257:23
Band, Timothy	07/09/2019	Defense Affirmative Designation	257:25	258:09
Band, Timothy	07/09/2019	Defense Affirmative Designation	258:11	260:03
Band, Timothy	07/09/2019	Defense Affirmative Designation	260:15	260:25
Band, Timothy	07/09/2019	Defense Affirmative Designation	305:25	307:14
Band, Timothy	07/09/2019	Defense Affirmative Designation	317:05	318:10
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	005:09	005:10
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	007:15	009:10
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	009:17	011:04
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	011:16	013:10
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	019:24	032:16
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	032:18	033:14
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	058:17	058:23
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	071:18	071:23
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	072:01	072:15
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	073:02	073:12

Deponent	Depo Date	Issues	From	To
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	073:13	074:16
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	075:10	077:10
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	077:12	080:01
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	081:10	081:18
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	082:06	082:19
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	094:19	096:06
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	096:17	096:23
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	097:21	099:09
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	099:10	101:20
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	102:14	102:16
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	103:08	104:04
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	105:04	105:22
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	105:23	106:01
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	106:02	106:13
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	107:15	107:24
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	108:19	109:25
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	113:06	116:05
Della Valle, Craig (BHR Track MDL)	09/12/2019	Defense Affirmative Designation	116:24	117:20
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	007:16	007:17
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	051:24	052:05
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	060:19	061:04
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	061:16	062:06
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	070:06	070:24
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	095:06	095:18
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	105:19	106:08
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	113:20	114:14
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	120:07	121:08
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	128:20	129:10
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	130:01	130:19
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	193:19	194:11
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	199:10	201:13
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	202:23	203:24
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Affirmative Designation	322:12	325:05
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	008:14	008:15
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	009:22	010:17
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	057:20	058:02
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	061:22	062:11
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	063:01	063:08
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	063:12	063:13
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	063:16	063:24
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	064:01	064:15
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	065:02	065:08
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	065:16	066:07
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Affirmative Designation	093:10	093:25
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	041:18	041:20
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	041:21	042:06

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Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	043:14	043:19
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	043:20	044:07
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	044:15	044:19
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	046:19	047:09
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	049:17	049:22
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	050:01	052:01
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	053:01	054:01
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	084:03	085:13
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	086:08	087:06
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	087:07	088:09
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	088:10	089:05
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Affirmative Designation	129:15	130:08
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	007:05	007:05
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	009:13	010:04
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	010:09	010:13
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	010:18	010:19
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	015:24	016:03
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	016:16	016:18
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	017:14	017:18
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	018:24	019:02
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	019:15	019:18
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	020:25	021:17
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	034:05	034:17
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	034:20	036:01
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	037:12	037:21
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	047:12	047:17
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	047:24	048:23
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	049:10	050:06
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	050:08	050:10
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	050:19	051:19
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	051:25	052:08
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	123:22	124:03
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	193:09	194:18
Huckle, James (BHR Track MDL)	09/11/2019	Defense Affirmative Designation	208:05	208:14
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	006:18	006:19
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	025:10	026:24
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	029:01	030:04
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	034:19	036:09
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	055:18	056:07
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	085:09	085:20
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	105:07	106:09
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	107:16	107:25
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	108:13	108:20
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	110:02	111:10
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	114:22	115:10
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	126:15	127:12

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Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	133:07	134:09
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	143:13	143:24
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	145:11	145:18
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	158:10	159:02
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	228:02	228:13
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	233:11	234:16
Kamali, Amir (BHR Track MDL)	09/17/2019	Defense Affirmative Designation	257:02	257:15
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	005:18	005:24
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	009:06	009:21
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	029:11	029:23
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	030:09	031:03
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	072:17	073:02
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	074:03	074:19
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	074:25	075:25
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	078:22	078:24
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	080:15	081:19
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	082:04	084:03
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	093:15	094:13
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	109:04	110:15
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	165:20	166:14
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	166:18	169:07
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	169:15	170:09
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	170:14	171:02
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	171:03	172:18
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Affirmative Designation	172:19	175:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	009:19	010:05
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	010:15	010:19
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	011:01	011:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	011:10	011:21
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	011:22	013:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	013:02	013:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	013:18	014:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	014:14	014:21
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	019:25	020:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	021:19	022:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	027:19	028:12
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	028:13	029:12
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	029:13	033:05
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	033:06	033:19
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	033:20	034:21
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	034:22	035:08
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	035:09	036:11
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	036:12	036:19
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	036:20	037:08
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	038:20	039:06
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	039:07	040:21

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Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	040:22	041:19
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	041:20	043:03
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	043:04	044:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	044:03	044:15
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	044:16	045:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	045:02	045:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	045:15	046:06
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	046:08	046:20
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	047:18	047:25
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	048:22	049:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	050:02	051:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	051:03	051:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	051:11	052:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	052:11	053:15
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	053:16	054:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	054:15	054:25
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	055:12	055:22
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	062:14	064:05
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	064:06	064:22
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	067:06	067:06
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	068:03	069:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	069:08	070:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	070:23	071:22
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	072:06	073:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	073:19	074:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	083:15	084:25
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	091:19	091:22
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	091:23	093:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	098:03	098:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	102:01	102:05
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	102:06	102:13
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	102:14	103:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	104:09	104:13
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	105:20	106:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	106:23	107:16
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	111:05	112:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	112:02	112:15
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	113:05	113:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	119:14	120:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	127:01	127:13
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	128:21	129:16
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	131:12	131:24
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	138:17	139:18
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	141:24	142:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	146:03	146:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	152:06	152:25

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Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	152:25	153:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	154:23	155:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	157:09	157:18
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	170:06	170:18
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	173:16	173:24
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	173:25	174:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	174:11	174:24
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	174:25	175:06
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	176:19	180:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	180:02	181:13
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	181:14	182:08
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	184:01	184:11
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	184:12	185:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	185:03	187:12
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	187:13	189:11
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	191:09	192:15
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	193:01	193:06
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	193:21	195:08
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	195:09	195:24
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	195:25	196:11
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	196:12	197:09
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	197:10	198:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	198:14	200:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	200:15	201:11
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	201:18	202:12
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	202:13	203:08
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	203:09	204:13
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	204:14	210:22
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	210:23	213:05
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	213:06	216:09
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	216:10	217:20
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	218:12	218:22
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	219:05	219:11
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	219:12	219:15
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	219:20	220:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	220:11	221:09
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	221:22	222:06
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	222:15	224:14
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	224:15	226:04
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	226:23	228:01
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	228:17	229:07
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	229:08	230:02
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	232:02	232:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	235:14	235:25
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	236:13	237:21
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	237:22	239:13

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Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	239:14	240:10
Kuser, Marty (BHR Track MDL)	02/21/2020	Defense Affirmative Designation	240:11	242:08
Pynsent, Tom (BHR Track MDL)	09/13/2019	Defense Affirmative Designation	007:06	007:08
Pynsent, Tom (BHR Track MDL)	09/13/2019	Defense Affirmative Designation	009:08	009:17
Pynsent, Tom (BHR Track MDL)	09/13/2019	Defense Affirmative Designation	009:21	010:21
Pynsent, Tom (BHR Track MDL)	09/13/2019	Defense Affirmative Designation	025:14	026:14
Pynsent, Tom (BHR Track MDL)	09/13/2019	Defense Affirmative Designation	222:17	223:16
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	009:13	009:14
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	013:04	014:11
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	017:24	018:16
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	019:22	020:01
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	028:11	028:14
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	029:08	029:12
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	031:04	031:15
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	035:19	036:01
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	036:02	036:10
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	040:15	040:19
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	043:02	043:19
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	044:04	044:19
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	049:18	049:19
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	049:22	050:11
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	050:13	050:14
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	050:16	050:19
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	051:18	051:25
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	052:04	052:05
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	052:07	052:08
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	055:10	056:10
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	063:04	064:01
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	075:20	077:22
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	080:07	082:01
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	084:10	084:23
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	085:24	086:02
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	102:08	102:18
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	109:12	110:08
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	110:24	111:03
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	111:14	113:11
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	128:19	129:02
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	130:06	130:22
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	132:04	133:02
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	134:04	134:07
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	144:11	145:04
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	157:05	159:01
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	161:10	163:15
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	163:19	165:11
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	165:20	165:23
Su, Edwin (BHR Track MDL)	11/19/2019	Defense Affirmative Designation	166:06	166:08

Deponent	Depo Date	Issues	From	To
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	009:21	009:23
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	013:05	013:07
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	015:25	019:12
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	023:01	023:19
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	023:24	027:06
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	029:10	031:06
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	038:19	039:09
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	042:21	043:14
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	043:15	044:20
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	044:21	045:06
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	166:11	167:18
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	216:13	217:02
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Affirmative Designation	217:24	218:10
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	008:02	008:15
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	013:15	013:18
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	013:24	014:15
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	015:04	016:13
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	017:25	019:16
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	023:06	023:13
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	034:14	035:14
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	035:25	037:21
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	045:02	045:21
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	062:23	063:04
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	063:19	065:05
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	070:15	071:15
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	075:17	076:10
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	079:25	080:10
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	085:16	085:21
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	085:22	086:06
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	091:20	092:04
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	097:18	098:12
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	108:15	108:25
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	112:10	113:02
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	115:04	116:02
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	128:20	129:19
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	146:22	147:07
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	156:15	157:01
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	158:05	158:14
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	159:09	160:04
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	162:03	162:18
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	166:25	167:23
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	199:24	200:08
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	200:13	200:20
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	215:10	215:20
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	226:23	227:20
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	244:01	244:07

Deponent	Depo Date	Issues	From	To
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	258:03	259:10
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	261:12	262:17
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	263:02	263:18
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	264:11	265:15
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	274:06	276:05
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	282:08	283:23
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	309:15	312:04
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	313:01	313:16
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	358:13	359:02
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	359:11	359:25
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Affirmative Designation	362:19	364:06

Exhibit G - Smith & Nephew's Counter Deposition Designations

Deponent	Depo Date	Issues	From	To
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	018:21	018:25
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	032:03	032:12
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	032:21	033:01
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	033:10	034:17
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	044:08	044:12
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	045:10	045:13
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	048:13	049:20
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	050:16	053:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	058:04	059:18
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	060:20	061:25
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	062:18	063:04
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	075:09	075:18
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	077:09	082:25
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	118:09	118:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	121:21	123:21
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	145:02	147:25
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	177:16	178:23
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	183:15	183:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	187:19	190:15
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	192:10	192:17
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	196:07	196:22
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	200:18	201:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	212:03	213:18
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	221:16	221:25
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	222:01	223:10
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	232:24	233:04
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	233:12	234:14
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	239:05	239:20
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	240:20	243:13
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	252:17	257:18
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	258:05	259:23
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	260:02	260:22
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	268:15	268:19
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	273:07	273:15
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	274:19	275:16
Amin, Naseem (BHR Track MDL)	10/17/2019	Defense Counter Designation	275:19	276:06
Band, Timothy	07/09/2019	Defense Counter Designation	010:21	011:01
Band, Timothy	07/09/2019	Defense Counter Designation	011:04	011:14
Band, Timothy	07/09/2019	Defense Counter Designation	174:03	174:07
Band, Timothy	07/09/2019	Defense Counter Designation	176:25	177:07
Band, Timothy	07/09/2019	Defense Counter Designation	178:18	179:10
Band, Timothy	07/09/2019	Defense Counter Designation	220:07	220:14
Band, Timothy	07/09/2019	Defense Counter Designation	221:23	222:09
Band, Timothy	07/09/2019	Defense Counter Designation	234:20	235:08
Band, Timothy	07/09/2019	Defense Counter Designation	241:01	241:04
Band, Timothy	07/09/2019	Defense Counter Designation	241:12	241:20

Deponent	Depo Date	Issues	From	To
Band, Timothy	07/09/2019	Defense Counter Designation	242:16	242:20
Band, Timothy	07/09/2019	Defense Counter Designation	244:04	244:23
Band, Timothy	07/09/2019	Defense Counter Designation	245:19	245:22
Band, Timothy	07/09/2019	Defense Counter Designation	248:13	248:15
Band, Timothy	07/09/2019	Defense Counter Designation	262:02	262:09
Band, Timothy	07/09/2019	Defense Counter Designation	307:15	308:03
Band, Timothy	07/09/2019	Defense Counter Designation	308:04	308:09
Band, Timothy	07/09/2019	Defense Counter Designation	308:10	308:21
Band, Timothy	07/09/2019	Defense Counter Designation	309:02	309:23
Band, Timothy	07/09/2019	Defense Counter Designation	309:25	310:03
Band, Timothy	07/09/2019	Defense Counter Designation	310:09	310:11
Band, Timothy	07/09/2019	Defense Counter Designation	310:22	310:24
Band, Timothy	07/09/2019	Defense Counter Designation	311:01	311:02
Band, Timothy	07/09/2019	Defense Counter Designation	312:04	312:17
Band, Timothy	07/09/2019	Defense Counter Designation	312:25	313:17
Band, Timothy	07/09/2019	Defense Counter Designation	314:25	316:18
Band, Timothy	07/09/2019	Defense Counter Designation	316:24	317:04
Band, Timothy	07/09/2019	Defense Counter Designation	331:16	332:02
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	018:02	018:06
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	045:17	046:07
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	059:11	060:03
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	065:18	066:06
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	068:03	068:12
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	070:05	070:06
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	070:11	070:13
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	075:09	075:18
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	076:02	076:16
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	077:11	077:21
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	078:19	079:04
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	079:06	079:20
Band, Timothy (THA Track MDL)	01/22/2020	Defense Counter Designation	080:15	080:22
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	005:11	005:17
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	010:11	010:22
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	012:07	016:08
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	016:13	018:05
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	021:14	023:04
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	023:14	024:16
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	025:13	025:17
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	029:20	030:02
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	030:05	030:11
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	045:12	050:25
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	061:24	064:20
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	065:10	066:21
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	067:16	067:21
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	068:05	068:08
Cometa, Ariane (BHR Track MDL)	09/11/2020	Defense Counter Designation	086:22	087:23

Deponent	Depo Date	Issues	From	To
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	014:04	014:09
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	015:10	016:01
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	018:21	018:24
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	019:01	019:01
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	019:02	020:04
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	020:14	021:01
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	023:03	023:16
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	024:01	024:08
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	025:22	026:06
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	026:08	026:08
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	029:21	030:18
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	030:19	031:06
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	032:02	032:14
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	035:12	035:20
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	035:23	036:02
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	037:14	038:01
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	038:06	038:19
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	038:25	039:08
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	040:23	041:08
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	041:19	042:02
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	052:10	052:20
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	053:19	053:25
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	058:04	060:15
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	064:23	065:10
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	066:05	066:07
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	066:09	066:12
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	067:02	067:10
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	067:15	067:21
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	070:08	070:19
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	070:21	070:21
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	071:06	071:17
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	071:19	071:20
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	072:02	072:24
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	073:04	073:16
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	073:17	073:20
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	075:09	076:05
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	076:06	077:15
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	077:16	078:18
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	078:19	079:03
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	079:04	079:24
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	080:11	080:21
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	080:23	080:24
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	083:14	083:19
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	083:20	084:15
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	085:24	086:03
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	089:16	089:18

Deponent	Depo Date	Issues	From	To
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	089:20	089:25
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	099:20	101:05
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	101:07	101:15
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	103:11	103:22
Dayton, Michael (BHR Track MDL)	07/22/2020	Defense Counter Designation	104:15	104:20
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	018:20	019:07
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	020:08	021:03
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	034:12	035:15
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	040:21	043:12
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	050:06	050:22
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	062:16	064:14
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	075:10	075:14
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	085:08	085:19
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	091:06	091:15
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	098:24	099:11
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	100:18	100:24
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	104:16	105:02
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	105:08	106:09
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	106:11	107:02
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	109:14	109:16
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	109:20	111:15
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	123:10	123:21
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	129:21	130:03
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	139:20	140:03
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	140:08	140:10
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	140:11	140:15
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	146:22	149:10
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	154:13	155:15
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	158:12	158:22
Della Valle, Craig (Hand)	07/09/2020	Defense Counter Designation	159:06	159:18
DeWeese, Blair (BHR Track MDL)	08/16/2019	Defense Counter Designation	014:15	015:21
DeWeese, Blair (BHR Track MDL)	08/16/2019	Defense Counter Designation	168:03	169:23
DeWeese, Blair (BHR Track MDL)	08/16/2019	Defense Counter Designation	171:23	172:09
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	069:13	070:24
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	099:01	100:22
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	103:08	103:19
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	121:25	122:07
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	135:20	136:23
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	139:05	139:21
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	143:15	143:20
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	144:15	145:08
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	199:10	201:13
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	217:04	218:14
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	293:12	294:25
Fraser, Blair (BHR Track MDL)	10/24/2018	Defense Counter Designation	322:08	325:05
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	009:22	010:17

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Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	056:25	058:02
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	062:12	062:21
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	063:01	063:24
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	065:16	066:11
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	066:12	067:25
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	093:10	093:25
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	107:13	108:11
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	149:16	150:02
Fraser, Blair (BHR/THA Tracks)	01/29/2020	Defense Counter Designation	150:03	151:21
Fraser, Blair (THA Track MDL)	11/14/2019	Defense Counter Designation	023:23	025:02
Fraser, Blair (THA Track MDL)	11/14/2019	Defense Counter Designation	028:08	028:24
Fraser, Blair (THA Track MDL)	11/14/2019	Defense Counter Designation	050:24	051:21
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	022:18	022:21
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	042:07	042:08
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	049:12	049:16
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	052:08	052:13
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	099:20	101:13
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	126:06	126:20
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	127:04	129:06
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	143:17	143:21
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	152:03	152:08
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	155:12	157:02
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	206:16	209:11
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	221:08	221:21
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	225:10	226:02
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	227:18	228:12
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	232:09	233:09
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	234:14	235:05
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	236:20	240:08
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	242:16	244:13
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	245:13	247:13
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	248:02	248:10
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	249:21	250:06
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	262:07	262:12
Heeckt, Peter (BHR Track MDL)	12/01/2020	Defense Counter Designation	263:09	264:08
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	045:13	046:13
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	047:08	047:22
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	053:03	054:02
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	054:04	054:09
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	054:15	055:01
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	056:10	057:05
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	060:15	061:01
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	071:18	072:16
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	078:15	078:16
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	081:24	082:03
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	084:04	084:22

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Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	085:25	086:01
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	089:12	089:21
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	090:20	091:21
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	092:04	092:18
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	094:22	096:14
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	099:02	099:10
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	114:01	114:16
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	118:14	118:21
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	119:15	120:08
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	136:23	137:09
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	137:15	138:13
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	143:04	143:13
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	143:14	144:04
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	144:13	144:20
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	147:25	148:19
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	176:19	177:22
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	179:25	180:05
Kopjar, Branko (BHR Track MDL)	08/14/2019	Defense Counter Designation	180:07	181:22
Kristiansen, Audra	10/20/2020	Defense Counter Designation	012:02	012:07
Kristiansen, Audra	10/20/2020	Defense Counter Designation	015:15	015:21
Kristiansen, Audra	10/20/2020	Defense Counter Designation	019:02	019:10
Kristiansen, Audra	10/20/2020	Defense Counter Designation	019:17	020:03
Kristiansen, Audra	10/20/2020	Defense Counter Designation	020:12	020:23
Kristiansen, Audra	10/20/2020	Defense Counter Designation	026:07	026:21
Kristiansen, Audra	10/20/2020	Defense Counter Designation	030:04	030:23
Kristiansen, Audra	10/20/2020	Defense Counter Designation	040:18	041:19
Kristiansen, Audra	10/20/2020	Defense Counter Designation	042:25	044:08
Kristiansen, Audra	10/20/2020	Defense Counter Designation	045:11	045:14
Kristiansen, Audra	10/20/2020	Defense Counter Designation	050:04	050:25
Kristiansen, Audra	10/20/2020	Defense Counter Designation	051:01	052:03
Kristiansen, Audra	10/20/2020	Defense Counter Designation	056:12	056:16
Kristiansen, Audra	10/20/2020	Defense Counter Designation	056:22	057:02
Kristiansen, Audra	10/20/2020	Defense Counter Designation	057:08	057:11
Kristiansen, Audra	10/20/2020	Defense Counter Designation	057:13	057:25
Kristiansen, Audra	10/20/2020	Defense Counter Designation	058:01	059:01
Kristiansen, Audra	10/20/2020	Defense Counter Designation	062:02	062:20
Kristiansen, Audra	10/20/2020	Defense Counter Designation	063:25	064:03
Kristiansen, Audra	10/20/2020	Defense Counter Designation	064:04	065:19
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	007:15	007:16
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	021:07	021:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	022:01	022:04
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	025:12	025:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	026:01	026:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	027:01	027:07
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	027:09	027:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	028:01	028:25

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Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	029:01	029:11
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	029:13	029:17
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	030:10	031:14
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	031:15	031:24
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	032:03	032:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	033:01	033:08
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	033:11	033:14
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	033:17	033:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	034:01	034:01
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	034:04	034:14
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	034:17	034:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	035:01	035:06
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	035:11	035:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	036:01	036:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	037:01	037:23
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	038:01	038:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	044:01	044:18
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	044:21	044:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	045:01	045:08
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	046:23	048:16
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	048:23	049:21
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	049:24	051:12
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	051:24	053:07
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	053:17	053:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	054:02	054:02
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	054:13	054:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	055:03	055:03
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	055:05	055:09
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	055:20	055:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	058:03	058:16
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	058:21	058:23
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	059:10	060:18
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	060:19	061:21
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	062:12	062:17
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	064:12	064:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	065:03	065:03
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	066:15	066:23
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	125:24	125:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	126:01	126:02
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	127:23	128:01
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	128:04	128:08
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	130:17	131:05
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	131:09	131:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	132:01	132:12
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	132:15	132:16
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	133:08	133:11

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Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	134:09	134:12
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	138:16	138:21
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	138:25	139:11
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	160:09	160:22
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	160:24	161:01
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	192:02	192:12
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	192:15	192:16
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	194:25	195:03
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	196:21	197:01
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	197:04	197:12
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	199:24	200:12
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	200:15	200:15
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	201:18	201:21
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	202:02	202:04
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	202:09	202:11
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	202:13	202:13
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	203:02	203:07
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	203:08	203:08
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	203:09	203:22
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	204:01	204:07
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	204:10	204:10
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	206:10	206:25
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	208:03	208:09
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	211:19	212:02
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	233:22	234:04
Martin, David (BHR Track MDL)	02/18/2020	Defense Counter Designation	237:10	237:15
Rateman, Stephen	03/10/2020	Defense Counter Designation	006:09	006:09
Rateman, Stephen	03/10/2020	Defense Counter Designation	011:23	012:14
Rateman, Stephen	03/10/2020	Defense Counter Designation	012:20	012:22
Rateman, Stephen	03/10/2020	Defense Counter Designation	015:13	015:21
Rateman, Stephen	03/10/2020	Defense Counter Designation	015:22	016:05
Rateman, Stephen	03/10/2020	Defense Counter Designation	016:16	016:20
Rateman, Stephen	03/10/2020	Defense Counter Designation	017:14	018:13
Rateman, Stephen	03/10/2020	Defense Counter Designation	019:23	020:21
Rateman, Stephen	03/10/2020	Defense Counter Designation	022:23	024:07
Rateman, Stephen	03/10/2020	Defense Counter Designation	024:16	025:02
Rateman, Stephen	03/10/2020	Defense Counter Designation	025:06	025:12
Rateman, Stephen	03/10/2020	Defense Counter Designation	026:16	027:03
Rateman, Stephen	03/10/2020	Defense Counter Designation	027:04	027:08
Rateman, Stephen	03/10/2020	Defense Counter Designation	029:23	030:15
Rateman, Stephen	03/10/2020	Defense Counter Designation	034:13	034:23
Rateman, Stephen	03/10/2020	Defense Counter Designation	035:17	036:01
Rateman, Stephen	03/10/2020	Defense Counter Designation	038:01	038:20
Rateman, Stephen	03/10/2020	Defense Counter Designation	062:06	062:11
Rateman, Stephen	03/10/2020	Defense Counter Designation	065:14	066:12
Rateman, Stephen	03/10/2020	Defense Counter Designation	066:14	066:16

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Rateman, Stephen	03/10/2020	Defense Counter Designation	074:03	074:07
Rateman, Stephen	03/10/2020	Defense Counter Designation	074:07	074:08
Rateman, Stephen	03/10/2020	Defense Counter Designation	074:13	074:22
Rateman, Stephen	03/10/2020	Defense Counter Designation	075:02	075:05
Rateman, Stephen	03/10/2020	Defense Counter Designation	075:09	076:05
Rateman, Stephen	03/10/2020	Defense Counter Designation	076:06	076:14
Rateman, Stephen	03/10/2020	Defense Counter Designation	076:18	077:08
Rateman, Stephen	03/10/2020	Defense Counter Designation	086:06	086:21
Rateman, Stephen	03/10/2020	Defense Counter Designation	088:08	089:12
Rateman, Stephen	03/10/2020	Defense Counter Designation	089:15	092:13
Rateman, Stephen	03/10/2020	Defense Counter Designation	093:14	093:25
Rateman, Stephen	03/10/2020	Defense Counter Designation	094:02	094:02
Rateman, Stephen	03/10/2020	Defense Counter Designation	094:04	094:12
Rateman, Stephen	03/10/2020	Defense Counter Designation	096:09	097:25
Rateman, Stephen	03/10/2020	Defense Counter Designation	098:01	099:17
Rateman, Stephen	03/10/2020	Defense Counter Designation	099:22	100:05
Rateman, Stephen	03/10/2020	Defense Counter Designation	100:21	101:01
Rateman, Stephen	03/10/2020	Defense Counter Designation	101:02	101:10
Rateman, Stephen	03/10/2020	Defense Counter Designation	101:11	103:15
Rateman, Stephen	03/10/2020	Defense Counter Designation	104:07	105:01
Rateman, Stephen	03/10/2020	Defense Counter Designation	105:03	105:23
Rateman, Stephen	03/10/2020	Defense Counter Designation	108:01	108:05
Rateman, Stephen	03/10/2020	Defense Counter Designation	121:24	122:09
Rateman, Stephen	03/10/2020	Defense Counter Designation	124:02	125:17
Rateman, Stephen	03/10/2020	Defense Counter Designation	125:18	127:06
Rateman, Stephen	03/10/2020	Defense Counter Designation	127:12	127:16
Rateman, Stephen	03/10/2020	Defense Counter Designation	127:18	127:22
Rogerson, John	07/27/2020	Defense Counter Designation	004:22	004:22
Rogerson, John	07/27/2020	Defense Counter Designation	019:16	020:01
Rogerson, John	07/27/2020	Defense Counter Designation	021:10	023:04
Rogerson, John	07/27/2020	Defense Counter Designation	024:17	026:19
Rogerson, John	07/27/2020	Defense Counter Designation	029:13	030:07
Rogerson, John	07/27/2020	Defense Counter Designation	030:10	030:15
Rogerson, John	07/27/2020	Defense Counter Designation	031:03	031:06
Rogerson, John	07/27/2020	Defense Counter Designation	031:10	031:10
Rogerson, John	07/27/2020	Defense Counter Designation	031:20	031:25
Rogerson, John	07/27/2020	Defense Counter Designation	033:13	037:15
Rogerson, John	07/27/2020	Defense Counter Designation	037:18	037:21
Rogerson, John	07/27/2020	Defense Counter Designation	038:04	038:09
Rogerson, John	07/27/2020	Defense Counter Designation	038:20	040:23
Rogerson, John	07/27/2020	Defense Counter Designation	041:05	041:08
Rogerson, John	07/27/2020	Defense Counter Designation	042:06	043:07
Rogerson, John	07/27/2020	Defense Counter Designation	043:22	044:22
Rogerson, John	07/27/2020	Defense Counter Designation	045:06	048:03
Rogerson, John	07/27/2020	Defense Counter Designation	048:22	049:12
Rogerson, John	07/27/2020	Defense Counter Designation	049:19	050:18

Deponent	Depo Date	Issues	From	To
Rogerson, John	07/27/2020	Defense Counter Designation	050:21	051:09
Rogerson, John	07/27/2020	Defense Counter Designation	054:15	054:20
Rogerson, John	07/27/2020	Defense Counter Designation	100:07	100:20
Rogerson, John	07/27/2020	Defense Counter Designation	101:21	103:07
Rogerson, John	07/27/2020	Defense Counter Designation	103:10	103:21
Rogerson, John	07/27/2020	Defense Counter Designation	118:09	118:12
Rogerson, John	07/27/2020	Defense Counter Designation	118:15	119:02
Rogerson, John	07/27/2020	Defense Counter Designation	124:11	124:14
Rogerson, John	07/27/2020	Defense Counter Designation	124:17	125:03
Rogerson, John	07/27/2020	Defense Counter Designation	126:02	126:05
Rogerson, John	07/27/2020	Defense Counter Designation	126:08	126:08
Rogerson, John	07/27/2020	Defense Counter Designation	149:05	149:07
Rogerson, John	07/27/2020	Defense Counter Designation	149:10	149:17
Rogerson, John	07/27/2020	Defense Counter Designation	152:23	153:12
Rogerson, John	07/27/2020	Defense Counter Designation	153:15	153:15
Rogerson, John	07/27/2020	Defense Counter Designation	205:17	206:03
Rogerson, John	07/27/2020	Defense Counter Designation	218:17	219:04
Rogerson, John	07/27/2020	Defense Counter Designation	220:12	220:16
Rogerson, John	07/27/2020	Defense Counter Designation	220:19	221:20
Rogerson, John	07/27/2020	Defense Counter Designation	227:15	227:22
Rogerson, John	07/27/2020	Defense Counter Designation	230:22	231:05
Rogerson, John	07/27/2020	Defense Counter Designation	231:08	231:09
Rogerson, John	07/27/2020	Defense Counter Designation	231:11	231:14
Rogerson, John	07/27/2020	Defense Counter Designation	240:15	241:02
Rogerson, John	07/27/2020	Defense Counter Designation	242:17	242:21
Rogerson, John	07/27/2020	Defense Counter Designation	247:19	248:09
Rogerson, John	07/27/2020	Defense Counter Designation	248:12	249:01
Rogerson, John	07/27/2020	Defense Counter Designation	249:04	249:04
Rogerson, John	07/27/2020	Defense Counter Designation	259:24	259:25
Rogerson, John	07/27/2020	Defense Counter Designation	259:25	261:08
Rogerson, John	07/27/2020	Defense Counter Designation	269:25	270:07
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	026:08	027:11
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	029:05	030:04
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	031:10	031:14
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	031:17	032:06
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	032:07	032:14
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	032:15	032:24
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	033:21	034:08
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	034:11	034:13
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	052:10	052:18
Telling, Dave (BHR Track MDL)	08/28/2020	Defense Counter Designation	063:05	065:08
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	007:21	008:10
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	009:01	009:03
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	009:10	009:12
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	026:02	027:06
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	027:22	028:06

Deponent	Depo Date	Issues	From	To
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	033:22	034:09
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	096:23	097:04
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	101:10	101:20
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	149:09	150:25
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	152:16	153:03
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	153:12	155:19
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	161:08	163:11
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	163:12	164:05
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	164:14	166:05
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	167:18	170:19
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	175:18	175:23
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	176:12	176:16
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	176:17	176:24
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	177:22	180:03
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	182:09	183:06
Telling, David (BHR and THA Tracks)	01/15/2020	Defense Counter Designation	194:22	197:11
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	005:10	005:12
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	006:10	006:17
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	010:03	010:11
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	015:11	016:09
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	016:18	017:02
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	017:20	019:15
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	059:06	059:25
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	083:04	083:18
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	086:18	087:17
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	088:05	089:03
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	091:21	092:06
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	093:01	093:18
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	093:19	094:10
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	094:24	095:23
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	096:14	096:22
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	117:13	117:18
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	117:22	118:01
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	119:06	119:21
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	121:04	121:07
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	121:16	124:05
Troup, Tom (BHR Track MDL)	06/19/2019	Defense Counter Designation	124:06	127:08
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	045:13	046:09
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	056:22	056:24
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	061:15	062:14
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	070:25	071:04
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	075:16	076:03
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	106:19	108:10
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	108:12	108:14
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	108:22	109:04
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	109:25	110:02

Deponent	Depo Date	Issues	From	To
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	115:19	117:05
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	160:14	160:25
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	163:15	164:13
Waugh, Mark (BHR Track MDL)	06/13/2019	Defense Counter Designation	211:22	211:24
Waugh, Mark (THA Track MDL)	01/28/2021	Defense Counter Designation	044:01	044:13
Weymann, Andrew (BHR Track MDL)	05/24/2019	Defense Counter Designation	069:08	069:21

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

IN RE: SMITH & NEPHEW
BIRMINGHAM HIP RESURFACING
(BHR) HIP IMPLANT PRODUCTS
LIABILITY LITIGATION

MDL No. 2775

Master Docket No. 1:17-md-2775

JUDGE CATHERINE C. BLAKE

THIS DOCUMENT RELATES TO:

**Phyliss Mosca v. Smith & Nephew, Inc.
1:18-cv-03520**

Exhibit H – SMITH & NEPHEW’S ANTICIPATED WITNESS LIST

<u>Witness Name</u>	<u>Address</u>	<u>Expected or Possible Witness?</u>
Dr. Henry Boucher	MedStar Orthopaedic Institute Hip and Knee Center 3333 North Calvert Street, Suite 101 Baltimore, MD 21218	Expected
Dr. Ariane Cometa	Charleston Integrative Medicine 300 W. Coleman Blvd., Suite 101 Mount Pleasant, SC 29464	Possible
Dr. Mary Craig-Buckholtz	Jarrettsville Family Care 3718 Norrisville Road, Suite C Jarrettsville, MD 21084	Possible
Dr. Corina Fratila	Ideal Endocrinology, LLC 3000 Chestnut Avenue, Suite 202 Baltimore, MD 21211	Possible
Dr. Richard Levine	MedStar Orthopaedic Institute – Timonium 2118 Greenspring Drive Timonium, MD 21093	Possible
Dr. Terry Pritt	Bay Counseling Services 2107 Laurel Bush Road, Suite 209 Bel Air, MD 21015	Possible
Dr. Jeffrey S. Janofsky	Johns Hopkins 600 N. Wolfe Street Baltimore, MD 21287	Possible

Audra Kristiansen	296 Wiley Place Wyckoff, NJ 07481	Possible
Stephanie Pritchard	140 Broad View Lane Berryville, VA 22611	Possible
Marty Kuser	7076 Crimson Leaf Lane College Grove, TN 37046	Possible
Terence Vincent Powers	366 Winged Foot Drive Westminster, MD 21157	Possible
L. Albert Knight	328 Saint Dunstons Road Baltimore, MD 21212	Possible
Monica Haskins	Insight Counseling & Consulting 59 Kensington Parkway Abingdon, MD 21009	Possible
Stacy Stearns	4 North Avenue, Suite 303B Bel Air, MD 21014	Possible
Dr. Michael Mont ¹	Sinai Hospital of Baltimore Rubin Institute of Advanced Orthopaedics 2401 West Belvedere Avenue Baltimore, MD 21215	Expected
Dr. Marc Hungerford	Mercy Medical Center 301 St. Paul Place Baltimore, MD 21202	Expected
Dr. Donna-Bea Tillman	Biologics Consulting Group 1555 King Street, Suite 300 Alexandria, VA 22314	Expected
Dr. Kevin Bozic	Dell Medical School University of Texas at Austin 1601 Trinity Street Austin, TX 78712	Expected
Dr. Stephen Cook	Fellowship of Orthopaedic Researchers 320 Metairie Hammond Highway, #406, Metairie, LA 70005	Expected

¹ Dr. Mont is fact witness, in addition to being a defense expert, insofar as he has factual knowledge of medical education events attended by Mosca's implanting surgeon.

Dr. Kevin Ong ²	Exponent, Inc. 3440 Market Street, Suite 600 Philadelphia, PA 19104	Expected
Dr. Brent Kerger	Exponent, Inc. 15615 Alton Parkway, Suite 350 Irvine, CA 92618	Expected
Dr. Edward McCarthy	The Johns Hopkins Hospital Department of Pathology 401 North Broadway Weinberg Bldg., Room 2261 Baltimore, MD 21231	Expected
Mr. Daniel Goldstein	MCRA 1050 K Street NW Washington, DC 20001	Possible
Dr. Paul Bills ³	University of Huddersfield Department of Engineering and Technology Queengate, Huddersfield HD1 3DH	Possible
Dr. Brian J. McGrory	MMP Orthopedics & Sports Medicine 119 Gannett Drive South Portland, ME 04106	Possible
Dr. Henrik Malchau	Harvard Medical School Massachusetts General Hospital 55 Fruit St. Boston, MA 02114	Possible
Dr. Robert Barrack	Washington University School of Medicine 660 Euclid Avenue St. Louis, MO 63110	Possible
Dr. Edwin Su	Hospital for Special Surgery 541 East 71 st Street, 7 th Floor New York, NY 10021	Expected

² Dr. Ong is fact witness, in addition to being a defense expert, insofar as he was a faculty member at medical education events attended by Mosca's implanting surgeon.

³ Dr. Bills will be called as a witness only if plaintiff's expert Scott Marshall testifies to any opinions in the Mosca case that are based on his explant analysis of only five explanted devices, none of which came from Ms. Mosca, or is allowed to present any evidence related to that explant analysis.

Dr. Craig Della Valle	Orthopedic Building at Rush – Main Office 1611 W Harrison, 4 th Floor Chicago, IL 60612	Expected
Dr. Scott Marwin	NYU Langone Health 1999 Marcus Ave North New Hyde Park, NY 11042	Possible
Dr. Peter Brooks	Cleveland Clinic, Euclid Medical Office Mail Code Suite 100 99 Northline Circle, Euclid, OH 44119	Possible
Dr. Pat Campbell	J. Vernon Luck, Sr., M.D. Orthopaedic Research Center 403 W. Adams Boulevard Los Angeles, CA 90007	Possible
Dr. Lawrence Kohan	Joint Orthopaedic Centre Suite 301C, 9-13 Bronte Road Bondi Junction, New South Wales, Australia	Possible
Dr. Stephen Raterman	Florida Medical Clinic 14547 Bruce B Downs Blvd, Suite C Tampa, FL 33613	Possible
Dr. John Rogerson	UnityPoint Health Meriter 2 Science Court Madison, WI 53711	Possible
Dr. Jeremy Gilbert ⁴	Clemson University Department of Bioengineering 301 Rhodes Research Center Clemson, SC 29634	Possible
Mr. John Keith Tucker ⁵	Mill House Mill Road Barnham Broom NORWICH NR9 4DE	Possible

⁴ While Dr. Gilbert serves as a defense expert in the THA-Track of the litigation, he is a fact witness in this matter insofar as he was a faculty member at medical education events attended by Mosca's implanting surgeon.

⁵ Dr. John Keith Tucker, former member of the UK Joint Registry's (UK NJR) Steering Committee, is a possible witness who may be offered in response to Dr. Graves, if he is allowed to testify at trial.

Dr. Martin Pickford ⁶	Craneswater Consulting Ltd 37 Dowland Close Locks Heath, Southampton SO31 6WB, UK	Possible
Dr. Martyn Porter ⁷	Wrightington Hospital Hall Lane Appley Bridge Wigan WN6 PEP Wrightington, UK	Possible
Dr. David Martin ⁸	7444 N. La Cholla Blvd. Tucson, AZ 85741	Possible
John Blair Fraser	Memphis, TN	Expected
Dave Telling	Gloucestershire, UK	Expected
Andy Weymann	Manchester, UK	Possible
Dr. Peter Heeckt	San Jose, Costa Rica	Expected
Naseem Amin	London, UK	Expected
Branko Kopjar	7423 W. Mercer Way Mercer Island, WA 98040	Possible
Mark Waugh	Memphis, TN	Expected
Tim Band	Warwick, UK	Expected
Gino Rouss	Arlington, TN	Possible
Lindsay D'Alessandro	Warwick, UK	Possible
Tom Pynsent	Warwick, UK	Possible

⁶ Dr. Martin Pickford, founding member of the UK Joint Registry, is a possible witness who may be offered in response to Dr. Graves, if he is allowed to testify at trial.

⁷ Dr. Martyn Porter, former Chairman of the UK Joint Registry's Editorial Board, is a possible witness who may be offered in response to Dr. Graves, if he is allowed to testify at trial.

⁸ Dr. Martin will be called only if Plaintiff is allowed to present testimony from Dr. Michael Dayton and Dr. Jack Bowling, over Smith & Nephew's objections.

Amir Kamali	Leamington Spa, UK	Possible
Andrew Hardison	Memphis, TN	Possible
Marcos Velez-Duran	13463 Picnic Woods Road Lovettsville, VA 20180	Possible
James Huckle	York, UK	Expected
Blair DeWeese	Seattle, WA	Possible
Tom Troup	Jacksonville, FL	Possible
Any witness plaintiff has identified on her witness list.		
Any witness needed to address or rebut any testimony that the Court allows Dr. Stephen Graves to present at trial.		
All other Mosca treating physicians.		
Any records custodian if required to authenticate any documents.		
Any rebuttal or impeachment witnesses.		

Dated: October 29, 2021

Respectfully Submitted,

/s/ Timothy F. Daniels

Timothy F. Daniels

Kim E. Moore

Stephen G.A. Myers

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Counsel for Defendant Smith & Nephew, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

PHYLISS MOSCA

v.

SMITH & NEPHEW, INC.

*

*

* **Civil Action No. CCB-18-03520**

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EXHIBIT I – S&N’S PROPOSED VOIR DIRE

1. I will now read a description of the case. The plaintiff, the person who is bringing this lawsuit, is Phyliss Mosca, from Bel Air, Maryland. She is suing the defendant, Smith & Nephew, Inc., for injuries she claims resulted from Ms. Mosca’s hip implant, a medical device manufactured by Smith & Nephew known as Birmingham Hip Resurfacing or “BHR.” The BHR is a “metal-on-metal” hip resurfacing device subject to regulation by the U.S. Food and Drug Administration. Ms. Mosca’s BHR implant was performed by her surgeon Dr. Henry Boucher in May 2010, and later in 2018 the BHR was removed and replaced by her doctor with a different hip implant, in a surgical procedure called a total hip arthroplasty or “THA.” Her claim is for negligent misrepresentation related to statements she says were made to her doctor before her implant in 2010 and which she alleges were false or misleading. Smith & Nephew denies it was negligent or that its conduct caused Ms. Mosca’s alleged injuries or damages. Have any of you heard about or read about this case, or do any of you know anything about this case?
2. Specifically, does anyone know either plaintiff Phyliss Mosca, her husband Vito Mosca, or any of their family members?
3. Ms. Mosca is represented by several lawyers, whom you will see in the courtroom. I will list their names: Gabriel Assaad, Kyle Farrar, Robert Jenner, Katie Kerner, Jasper Ward, and Genevieve Zimmerman. Do any of you recognize any of these names or think you know any of these lawyers, either socially or professionally?
4. Have you read or heard anything about the company that is the defendant in this case, Smith & Nephew?

5. Smith & Nephew also is represented by several lawyers, whom you will see in the courtroom. I will list their names: Timothy Daniels, Kim Moore, Terri Reiskin, Stephen Myers, and Paul Zidlicky. Do any of you recognize any of these names or think you know any of these lawyers, either socially or professionally?
6. Smith & Nephew may have a corporate representative present in the courtroom named Elizabeth Mitchell. Do any of you recognize her or know her?
7. Each side is expected to call witnesses to testify in this case, either in person or by a video recording. I am going to read you a list of names of persons who may be witnesses. It is a long list, but not everyone will be called to testify. We are also listing some of the people whose names may be mentioned in the course of trial, even if they do not testify themselves. My question for you is whether you recognize any of these names or think you know any of these potential witnesses. If you do, in addition to checking the Yes box on your answer sheet, please jot down the name so you will be sure to remember it when we ask you follow-up questions later.
8. Does anyone on the panel know me or any person on the Court staff?
9. Looking around, do any of you know any of the other prospective jurors?
10. To the best of your knowledge, do you or anyone you know have any interest, financial or otherwise, in the outcome of this case?
11. Have you or your spouse or partner ever served in the military?
12. Have you or any close family member ever worked for or had with the Food and Drug Administration (FDA)?
13. Do you have any particularly strong opinions, either negative or positive, about the FDA?
14. Have you ever worked for any other government regulatory agency or in a position that involved frequent interactions with a government regulatory agency?
15. Do you or a member of your immediate family or anyone close to you have

special knowledge, training, work, or other experience in the legal field?

16. Do you, or a member of your immediate family, or anyone close to you have special knowledge, training, work, or other experience in the medical or healthcare field, including homeopathic or holistic medicine, counseling or mental health services, and including the sale of medical devices?
17. Have you, or a member of your immediate family, or anyone close to you ever had a medical device implant, such as a hip, knee, or other joint replacement, mesh, or some other type of implant?
18. Even if you have not had a hip implant yourself, have you read or heard anything about the use of implants in hip replacement surgery generally?
19. Have you read or heard anything about a procedure called the Birmingham Hip Resurfacing (BHR) procedure?
20. Have you had any current or past health issues with any of the following: arthritis, knee or hip pain, other joint pain, or thyroid nodules?
21. Do you have any strong views about COVID vaccines or vaccine mandates, for or against?
22. Have you or any close family member suffered with anxiety, depression or panic attacks that required mental health treatment or medications?
23. Have you or a member of your immediate family or anyone close to you ever had a particularly negative experience with a doctor, hospital, medical facility, or medical procedure?
24. Have you ever been dissatisfied with a diagnosis you received from your doctor?
25. Have you ever had a particularly bad experience with a large corporation?
26. Have you experienced any significant loss within the past five years, such as the death of a spouse, partner, or child, a divorce or separation, the loss of a house or a job, or a particularly serious injury, illness, or financial hardship?
27. Have you ever filed a claim or a lawsuit for money damages, including a workers' compensation claim?

28. Have you ever had a claim or lawsuit filed against you?
29. Have you ever served on a jury?
30. Do you exercise regularly?
31. Do you now or have you ever used tobacco products regularly?
32. When you are experiencing medical symptoms, do you frequently conduct online research to help you determine the cause?
33. Are you the primary caretaker for someone in need of daily care or assistance?
34. If an individual files a lawsuit against a corporation, do you tend to believe the corporation has done something wrong?¹
35. In a civil case, the plaintiff (meaning Ms. Mosca, who is bringing claims against Smith & Nephew) has what we call the burden of proof, meaning she must prove her claims by a certain standard, which will be defined for you. If you believed that the plaintiff did not meet her burden of proof, would you have any difficulty returning a verdict in favor of the defendant, Smith & Nephew?
36. Ms. Mosca will ask for an award of money damages, for such items as medical expenses and emotional distress. These are called compensatory damages. If you believe that the plaintiff has met her burden of proof, is there any reason you would be unwilling to award compensatory money damages?
37. Punitive damages may be recoverable under the law when a plaintiff offers clear and convincing evidence of actual malice and deliberate conduct, including evil motive, intent to cause injury, ill will or fraud by the defendant. If the plaintiff proved such conduct by the defendant in this case, is there any reason you would be unwilling to award punitive money damages?
38. Smith & Nephew is a corporation. Under the law, a corporation must be given the same fair treatment as you would give individuals, such as Ms. Mosca. Would you have any difficulty treating Smith & Nephew the same as you would

¹ This question is being posed as an alternative to the question plaintiffs' counsel objected to which asked: "Do you hold the opinion that if a lawsuit, such as this, has been filed, there must be some merit to the claims?"

an individual?

39. As you were advised when you were summonsed for this case, we expect it to last as long as four weeks. You would need to be here from approximately 9:30 to 5:00 at least Monday through Thursday or Friday for all four weeks. Jury service is often inconvenient, but it is a crucial public service. Is there anyone on the panel for whom it would be a particularly severe business or personal hardship if we ask you to serve on this jury for the next four weeks?
40. Do you have any physical, mental, or medical conditions that might make it difficult for you to sit in the jury box, listen to the witnesses, and read the documents that may be admitted as exhibits in this case?
41. Do you have any personal, moral, religious, or other beliefs and opinions that might make it difficult for you to serve as a juror and return a fair verdict in this case?
42. At the end of the case, I will give you instructions on the law which must govern your decision. Would you have any difficulty or hesitation applying the law as it is given to you, even if you do not agree with it?
43. Is there any reason at all, whether or not I have managed to ask you about it, why it would be difficult for you to sit as a juror in this courtroom, pay careful attention to the testimony and exhibits, and return a fair verdict based only on the evidence and the instructions of law I will give you?

Exhibit J – Plaintiffs Counter Deposition Designations

Amin, Naseem, 10/17/2019			
Begin Page	Begin Line	End Page	End Line
233	5	233	11
234	15	236	23
269	14	273	5
273	16	274	18
284	21	285	25

Blair Fraser, 10/2018			
Begin Page	Begin Line	End Page	End Line
206	10	211	23

Blair Fraser, 1/29/2020			
Begin Page	Begin Line	End Page	End Line
62	12	62	24
64	16	65	1
65	10	65	15
66	8	67	25
89	10	93	9

Branko Kopjar 8/14/2019			
Begin Page	Begin Line	End Page	End Line
5	18	5	24
12	18	13	1
13	6	13	13
15	12	18	25
23	10	25	18
35	18	36	3
36	10	41	25
42	19	44	5
44	17	45	12
46	23	47	7
48	22	50	15
51	3	53	2
58	19	60	14
69	23	71	11
73	3	74	19
76	13	78	14
81	20	81	23
84	23	85	19
86	2	88	12
94	14	94	21
98	3	99	1
105	19	109	3
112	1	113	22
114	17	117	4
118	8	118	13
121	3	122	18
126	2	128	14
129	21	131	16
131	17	136	22
143	14	144	12
149	1	151	12
152	3	153	8
153	24	154	8
156	5	158	8
162	23	164	1
178	17	179	24
181	23	182	9

Craig Della Valle, 7/9/2020			
Begin Page	Begin Line	End Page	End Line
7	24	25	8
9	7	9	23
10	22	11	1
13	17	14	21
15	19	16	2
16	3	18	19
19	11	20	7
21	4	22	22
28	5	29	13
32	10	32	20
33	3	34	4
36	20	37	14
57	9	58	22
64	15	66	21
67	9	72	13
82	16	83	4
87	6	87	10
91	17	91	23
92	19	92	24
93	1	95	8
95	9	95	13
99	12	100	17

Craig Della Valle, 9/12/2019			
Begin Page	Begin Line	End Page	End Line
14	1	14	3
57	11	63	3
65	20	66	19
76	2	77	20
130	15	132	13
155	7	156	22
181	10	182	17
186	16	188	24
200	17	202	16
207	8	208	21
226	12	227	17

Kamali, Amir, 9/17/2019			
Begin Page	Begin Line	End Page	End Line
7	4	7	5
30	8	30	16
31	3	31	22
32	4	32	6
33	22	33	23
34	12	34	18
36	20	38	4
54	20	55	3
56	17	58	16
65	6	66	19
106	10	106	22
165	24	167	6
190	12	192	7
193	3	193	8
193	21	195	4

Tom Pynsent, 9/13/2019			
Begin Page	Begin Line	End Page	End Line
7	12	7	23
11	1	12	12
13	13	14	13
16	9	17	10
18	12	18	25
21	13	21	21
22	10	23	2
26	15	27	21
28	15	29	17
29	23	29	25
30	20	34	9
42	22	44	1
49	7	51	7
54	20	55	4
57	11	63	3
65	20	66	19
76	2	77	20
130	15	132	13
155	7	156	22
181	10	182	17
186	16	188	24
200	17	202	16
207	8	208	21
226	12	227	17

James Huckle, 9/11/2019			
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15	7	15	14
17	11	17	13
18	8	18	10
19	12	19	14
20	17	20	20
85	15	86	12

Marty Kuser, 2/21/2020			
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7	1	7	23
8	2	8	12
46	21	47	11
57	23	58	5
71	23	72	5
75	1	75	8
76	2	85	6
90	20	93	2
96	9	97	12
101	15	101	25
103	8	103	15
105	2	105	19
106	3	106	22
108	10	110	11
113	11	113	23
114	14	115	1
118	2	118	13
122	1	125	3
125	10	126	20
131	25	138	14
139	19	141	23
142	14	146	2
172	17	173	15
174	8	174	10
182	9	183	25
234	7	236	12
242	9	244	5

Tim Band, 7/9/2019			
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261	2	269	7
307	15	308	19

Edwin Su, 11/19/2019			
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23	21	25	11
31	16	32	15
36	12	37	11
38	6	40	14
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47	8	49	10
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66	3	66	10
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117	2	117	20
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133	14	134	3
145	9	146	11
150	3	151	13
154	5	155	12
165	12	165	19
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Weymann, Andy 5-24-2019			
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20	23	22	15
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37	23	44	15
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165	8	165	23
167	24	177	3
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184	8	186	2
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217	19	219	5
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228	9	229	3
230	19	231	2
232	18	233	4
237	14	243	11
249	10	251	8
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253	9	258	1
259	12	261	11
263	20	264	10
290	13	295	21
297	3	297	10

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313	18	316	20
319	7	325	4
325	19	330	5
336	20	338	2
339	5	341	25
343	17	344	6
344	7	348	4

EXHIBIT K - PLAINTIFFS' PROPOSED JURY INSTRUCTIONS

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Baltimore Division)**

PHYLLIS MOSCA, PLAINTIFF, v. SMITH & NEPHEW, INC. DEFENDANT.	Judge Catherine C. Blake Civil No. 1:18-cv-3520
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JURY INSTRUCTIONS

JURY INSTRUCTION NO. 1

GENERAL INSTRUCTIONS

MEMBERS OF THE JURY:

At the outset, I want to thank you for your patience and attention throughout this case. All the parties appreciate your careful consideration of the evidence, your patience with our recesses and delays, and your promptness, even when we are not as prompt as you.

As you may already know, the functions of the Judge and of the Jury in a case of this sort are quite different. It is my duty as Judge to instruct you as to the law which applies to this case. It is your duty to decide the facts, and then to apply the law as I state it to you.

You should not single out any one sentence or individual point in these instructions and ignore the others. Rather, you should consider all of my instructions as a whole, and you should consider each instruction in the light of all others. Counsel may quite properly refer to some of the governing rules of law in their arguments. If, however, any difference appears to you between the

law as stated by counsel and that stated in these instructions, you should of course follow these instructions.

You and only you are the judges of the facts. If any expression of mine, or anything I may or may not have done or said during the course of the trial, seemed to indicate any opinion I might have on any factual matters, I instruct you to disregard it.

You must perform your duties as jurors without bias or prejudice as to any party. The law does not permit you to be governed by sympathy, prejudice or public opinion. All persons, including corporations, stand equal before the law and are entitled to the same fair treatment under the law. Accordingly, it would be improper for you to consider any personal feelings you may have about any party's or witness's race, religion, national origin, sex or age. It would be equally improper for you to allow any feelings you might have about the nature of the claim against the defendant to influence you in any way. Our judicial system cannot work unless you reach your verdict only through a fair and impartial consideration of the evidence.

There are, generally speaking, two types of evidence from which a jury may properly find the truth as to the facts of a case. One is direct evidence - such as the testimony of an eyewitness. The other type of evidence is indirect or circumstantial evidence - the proof of a chain of circumstances pointing to the existence or non-existence of certain facts.

There is a simple example of circumstantial evidence which is often used. Assume that when you came into the courthouse this morning the sun was shining. As you were sitting here, someone walked in with an umbrella that was dripping wet. Someone else then walked in with a raincoat that was also dripping wet. You cannot look outside of the courtroom; consequently, you have no direct evidence of whether or not it is raining. But, on the combination of facts, it would be reasonable and logical for you to conclude that it had been raining.

That is all there is to the definition of circumstantial evidence. You infer on the basis of reason and experience from an established fact the existence or the nonexistence of some other fact. Circumstantial evidence is of no less value than direct evidence. As a general rule, the law makes no distinction between direct and circumstantial evidence, but simply requires that the jury find the facts in accordance with the preponderance of all the evidence in the case, both direct and circumstantial.

In deciding the facts, you may consider not only any evidence to which I may refer, and the evidence to which you may be referred by counsel in their arguments, but you may also consider any testimony or exhibits in the case, whether or not referred to by me or by counsel, which you believe to be important to your decision.

You are to consider only the evidence presented, and you may not guess or speculate as to the existence of any facts in this case. But in considering the evidence, you are permitted to draw, from facts you find have been proved, such reasonable inferences as seem justified in the light of your own experience. Inferences are deductions or conclusions which reason and common sense lead you to draw from facts which have been established by the evidence in the case.

The questions and arguments of counsel are not evidence and should not be considered as evidence. The evidence in the case, which you may consider with respect to all claims, consists of the sworn testimony of the witnesses, regardless of who may have called them; all exhibits received in evidence, regardless of who may have produced them, and all facts which may have been admitted or stipulated. Any evidence as to which an objection was sustained by the court, and any evidence ordered stricken by the court, must be entirely disregarded. Anything you may have seen or heard outside the courtroom is not evidence, and must be entirely disregarded.

A number of exhibits have been admitted into evidence in this case and will be available for your review. Do not pay any special attention to which side introduced an exhibit, or to the numbers on the exhibits as counsel premarked them to help the Court Clerk and at trial may have decided against the use of certain ones. You may consider the exhibits that have been admitted for any purpose, consistent with these instructions, that will help you evaluate the merits of this case. You should give the exhibits the weight and credibility that you deem appropriate.

During the course of the trial, I may have occasionally asked questions of a witness, in order to bring out testimony I was not clear about. Do not assume that I hold any opinion on the matters to which my questions may have related.

At times throughout the trial, I have been asked to rule on the admissibility of certain offered evidence. You should not be concerned with my rulings or the reason for them. Whether evidence which has been offered is admissible or is not admissible is purely a question of law, and you should not draw any inferences from my rulings on the admissibility of evidence. In admitting evidence to which an objection has been made, I do not determine what weight should be given to such evidence; that is up to you. You must not guess what the answer might have been to any question to which an objection was sustained, and you must not speculate as to the reason the question was asked or the reason for the objection.

You, as jurors, are the sole judges of the credibility of the witnesses and the weight their testimony deserves. You are not required to believe any witness even though his or her testimony is uncontradicted. In determining whether or not to believe a witness, you should carefully scrutinize the testimony given, the circumstances under which each witness has testified, and every matter in evidence which tends to indicate whether the witness is worthy of belief. Consider each witness' intelligence, motive and state of mind, and his or her demeanor and manner while on the

stand. Consider the witness' ability to observe the matters as to which he or she has testified, and whether the witness impresses you as having an accurate recollection of these matters. Consider also any relation each witness may bear to either side of the case; the manner in which each witness might be affected by the verdict; and the extent to which, if at all, the testimony of each witness is either supported or contradicted by other evidence.

Inconsistencies or discrepancies in the testimony of a witness, or between the testimony of different witnesses, may or may not cause the jury to discredit such testimony. Two or more persons witnessing an incident may see or hear it differently; innocent mis-recollection, like failure of recollection, is not an uncommon experience. Inconsistencies or discrepancies in the testimony of a witness, or between the testimony of different witnesses, should be considered by you, but, in weighing their effect, you should consider whether the inconsistencies or discrepancies relate to a matter of importance or an unimportant detail, and whether the discrepancy or inconsistency results from innocent error or willful falsehood.

A witness may be discredited, not only by contradictory evidence, but also by evidence that at other times the witness has made statements which are inconsistent with the present testimony of that witness. In weighing the testimony of any witness, therefore, you should consider whether he or she has made statements at other times which are inconsistent with his or her present testimony, and whether such inconsistency, if you find any, results from innocent error or willful falsehood, as well as whether it relates to a matter of importance or an unimportant detail.

Some of the testimony before you is in the form of depositions which have been received in evidence. A deposition is simply a procedure where prior to trial the attorneys may question a witness or an adverse party under oath as recorded by a court stenographer. This is part of the pretrial discovery, and each side is entitled to take depositions. Due to the COVID-19 pandemic,

many depositions in this case had to be conducted remotely, which is not the usual situation. You should draw no inferences from the fact that some depositions were remote and some were in person. You may consider the testimony of a witness given at a deposition according to the same standards you would use to evaluate the testimony of a witness given at trial.

After you have considered all the factors bearing upon the credibility of a witness which I have mentioned to you, you may decide to accept all of the testimony of a particular witness, none of the testimony of a particular witness, or part of the testimony of a particular witness. In other words, you may give the testimony of any witness such credibility and weight, if any, as you may think it deserves.

A witness who has special training or experience in a given field is permitted to express opinions based on observed or assumed facts to help you in deciding the issues in the case. In weighing the opinions of an expert, you should consider the expert's experience, training and skills, the expert's knowledge of the subject matter about which he is expressing an opinion, and the reasons the expert gives in support of his opinion.

You should give expert testimony the weight and value you believe it should have. You are not required to accept any particular expert's opinion. You should consider an expert's opinion together with all the other evidence.

You should not decide any issue of fact in this case based on which side brings the greater number of witnesses, or presents the greater quantity of evidence. Instead, you should base your decision on which witness, and which evidence, appeals to your minds as being most accurate, and otherwise trustworthy.

The law does not require any party to call as witnesses all persons who may have been present at any time or place involved in the case, or who may appear to have some knowledge of

the matters in issue at this trial. Nor does the law require any party to produce as exhibits all papers and things mentioned in the evidence in the case.

Most of the instructions I have given you so far apply to any civil case. Now I will give you some specific instructions about the claims in this case.

You have heard reference to the “plaintiff” in this case being Phyllis Mosca.

JURY INSTRUCTION NO. 2 – BURDEN OF PROOF AND GREATER WEIGHT OF THE EVIDENCE

In this case you will be called upon to answer a number of questions. As I discuss each question I will tell you which party has the burden of proof. As to most of the questions, as I will instruct you, the party having that burden is required to prove, by the greater weight of the evidence, the existence of those facts which entitle that party to a favorable answer to the question.

The greater weight of the evidence does not refer to the quantity of the evidence, but rather to the quality and convincing force of the evidence. It means that you must be persuaded, considering all of the evidence, that the necessary facts are more likely than not to exist.

If you are so persuaded, it would be your duty to answer the question in favor of the party with the burden of proof. If you are not so persuaded, it would be your duty to answer the question against the party with the burden of proof.

JURY INSTRUCTION NO. 3 - CASE SUBMISSION ON QUESTIONS

Your verdict will take the form of written answers to written questions which are submitted to you by the Court. Your answers will constitute your verdict. Each answer is to be written in the space provided after each question. Before making each answer, all of you must agree upon it.

These questions are as follows:

1. Do you find by the greater weight of the evidence that defendant Smith & Nephew negligently asserted false or misleading statements about the revision risk of the BHR to Phyllis Mosca's surgeon, Dr. Henry Boucher, either directly in written materials, through its sales representatives, or through surgeons associated with Smith & Nephew at medical education conferences?
2. Do you find by the greater weight of the evidence that defendant Smith & Nephew intended that its false or misleading statements about the revision risk of the BHR would be acted upon by Dr. Boucher
3. Do you find by the greater weight of the evidence that defendant Smith & Nephew knew that Dr. Boucher would rely on its statements, the statements of its sales representatives, and/or by statements made at medical education conferences by surgeons associated with Smith & Nephew
4. Do you find by the greater weight of the evidence that Dr. Boucher relied on statements made by Smith & Nephew to him directly, through sales representatives, and/or by surgeons associated with Smith & Nephew at medical education conferences, and that this reliance was justifiable?
5. Do you find by the greater weight of the evidence that Smith & Nephew's negligence proximately caused Phyllis Mosca's injuries?
6. What is the total amount you award to plaintiff Paula Redick for the following compensatory damages, if any?
7. Do you find by clear and convincing evidence that by its negligence defendant Smith & Nephew acted with actual malice, ill will, and/or fraudulently?

It is your duty to answer these questions in accordance with the evidence in the case. I will now explain the law which you should consider as you deliberate upon your verdict.

JURY INSTRUCTION NO. 4 — NEGLIGENCE: BURDEN OF PROOF

The first question reads, “Do you find by the greater weight of the evidence that defendant Smith & Nephew negligently asserted false or misleading statements about the revision risk of the BHR to Phyllis Mosca’s surgeon, Dr. Henry Boucher, either directly in written materials, through its sales representatives, or through surgeons associated with Smith & Nephew at medical education conferences?”

On this issue the burden of proof is on the plaintiff. This means that the plaintiff must prove, by the greater weight of the evidence, that the defendant was negligent.

JURY INSTRUCTION NO. 5 —DEFINITION OF COMMON LAW NEGLIGENCE

Negligence refers to a person's or corporation's failure to follow a duty of conduct imposed by law. Every person is under a duty to use ordinary care to protect himself and others from injury. Ordinary care means that degree of care which a reasonable and prudent person or corporation would use under the same or similar circumstances to protect himself and others from injury. A person or corporation's failure to use ordinary care is negligence.

JURY INSTRUCTION NO. 6—CONTENTIONS OF NEGLIGENCE

In this case, the plaintiff contends, and the defendant denies, that the defendant was negligent. Specifically, Ms. Mosca claims that Smith & Nephew failed to use ordinary care by making voluntary communications to Dr. Boucher that Ms. Mosca claims were false or misleading.

A statement can be misleading even if literally true if it fails to include other relevant information the absence of which would make the original statement misleading. The representations Ms. Mosca claims were false or misleading are that:

- 1) The BHR's revision rate was 1-3% for women like Ms. Mosca.
- 2) The BHR had excellent results for patients like Ms. Mosca as demonstrated by the Australian Registry results and other clinical studies.
- 3) The BHR had exceptional clinical performance and outstanding long-term results in patients like Ms. Mosca.
- 4) The BHR had exceptional results for patients like Ms. Mosca, and the Australian Registry data showed outstanding survivorship for the BHR in patients like Ms. Mosca.
- 5) There was only a smaller increased risk of revision in women, which was explained by the risk of early fracture. This risk to women could be reduced through a surgeon's experience and technique.
- 6) Smith & Nephew would update Dr. Boucher on additional information it learned about the higher risk of revision to women from causes other than fracture.
- 7) BHR is not the same as other metal on metal devices (including both metal-on-metal resurfacing devices and traditional metal-on-metal total hip arthroplasty devices).
- 8) The BHR's revision rate was lower than other metal-on-metal devices (including both metal-on-metal resurfacing devices and traditional metal-on-metal total hip arthroplasty devices) because of the BHR's design, including the metal it used and the clearance rates between the two metal pieces.
- 9) The BHR produced less metal wear and metal ions than other metal-on-metal devices (including both metal-on-metal resurfacing devices and traditional metal-on-metal total hip arthroplasty devices) because of the BHR's design, including the metal it used and the clearance rates between the two metal pieces.

- 10) Any metal wear from the BHR was caused by poor implant positioning, which could be overcome by surgeon experience and technical skill.
- 11) While a total hip revision device was not commercially available, Smith & Nephew would provide Dr. Boucher could perform a “bailout” to a total hip intraoperatively if he believed it was warranted.
- 12) A revision of a BHR to a total hip would be easier than revision a total hip to another total hip. (Patient’s Guide).
- 13) The BHR was “wear resistant” and bone conserving.

I instruct you that negligence is not to be presumed from the mere fact of injury.

JURY INSTRUCTION NO. 7—FINAL MANDATE: NEGLIGENCE

Finally, as to this question on which the plaintiff has the burden of proof, if you find, by the greater weight of the evidence, that the defendant was negligent in the way contended by the plaintiff, then it would be your duty to answer this issue “Yes” in favor of the plaintiff as to the fifth question.

If, on the other hand, you fail to so find, then it would be your duty to answer this issue “No” in favor of the defendant.

JURY INSTRUCTION NO. 8— CAUSATION

The next questions read:

- “Do you find by the greater weight of the evidence that defendant Smith & Nephew intended that its false or misleading statements about the revision risk of the BHR would be acted upon by Dr. Boucher?”
- “Do you find by the greater weight of the evidence that defendant Smith & Nephew knew that Dr. Boucher would rely on its statements, the statements of its sales representatives, and/or by statements made at medical education conferences by surgeons associated with Smith & Nephew?”
- “Do you find by the greater weight of the evidence that Dr. Boucher relied on statements made by Smith & Nephew to him directly, through sales representatives, and/or by surgeons associated with Smith & Nephew at medical education conferences, and that this reliance was justifiable?”
- Do you find by the greater weight of the evidence that Smith & Nephew’s negligence proximately caused Phyllis Mosca’s injuries?

You will answer these questions only if you have answered the first question “Yes,” in favor of the plaintiff.

The plaintiff also must show that the defendant’s negligence was a proximate cause of her injury, as well as show Smith & Nephew intended that Dr. Boucher act on its representations to him and knew he would probably rely on the statements, and that Dr. Boucher was justified in relying on these statements. Please answer each of these questions.

Finally, Ms. Mosca must show that her injuries were proximately caused by Smith & Nephew’s negligence. Proximate cause is a cause which in a natural and continuous sequence

produces a person's injury, and is a cause which a reasonable and prudent person could have foreseen would probably produce such injury or some similar injurious result. Actual reliance is direct reliance on false or misleading information. Reliance is justifiable if, under the same or similar circumstances, a reasonable orthopedic surgeon in the exercise of ordinary care would have relied on the false or misleading information.

There may be more than one proximate cause of an injury. Therefore, the plaintiff need not prove that the defendant's alleged misrepresentations were the sole proximate cause of the injury. The plaintiff must prove, by the greater weight of the evidence, that the defendant's alleged misrepresentations were a proximate cause of the injury.

As to this question on which the plaintiff has the burden of proof, if you find by the greater weight of the evidence that the defendant's negligence was a proximate cause of her injury, then it would be your duty to answer this issue "Yes" in favor of the plaintiff.

If, on the other hand, you fail to so find, then it would be your duty to answer this issue "No" in favor of the defendant.

JURY INSTRUCTION NO. 9—DAMAGES, GENERAL

The seventh question reads: “What is the total amount you award to plaintiff Phyllis Mosca for the following compensatory damages, if any: pain and suffering?”

The plaintiff may also be entitled to recover actual damages. On this issue the burden of proof is on the plaintiff. This means that the plaintiff must prove, by the greater weight of the evidence, the amount of actual damages proximately caused by the wrongful conduct of the defendant.

JURY INSTRUCTION NO. 10—ACTUAL DAMAGES

Actual damages are the fair compensation to be awarded to a person for any past or present injury proximately caused by the wrongful conduct of another.

In determining the amount, if any, you award the plaintiff, you will consider the evidence you have heard as to the plaintiff's pain and suffering.

I will now explain the law of damages as it relates to each of these.

JURY INSTRUCTION NO. 11—PAIN & SUFFERING

In this case, Plaintiff is not seeking any recovery of medical expenses. However, damages for personal injury also include fair compensation for the actual past and present physical pain and mental suffering experienced by the plaintiff as a proximate result of the defendant's wrongful conduct. There is no fixed formula for placing a value on physical pain and mental suffering. You will determine what is fair compensation by applying logic and common sense to the evidence.

You are reminded that you may not award any damages based on the likelihood of a second revision surgery.

JURY INSTRUCTION NO. 12—DAMAGES: FINAL MANDATE

I instruct you that your findings on this seventh question must be based on the evidence and the rules of law I have given you with respect to the measure of damages. You are not required to accept the amount of damages suggested by the parties or their attorneys.

Your award must be fair and just. You should remember that you are not seeking to punish either party, and you are not awarding or withholding anything on the basis of sympathy or pity.

Finally, as to this seventh question on which the plaintiff has the burden of proof, if you find by the greater weight of the evidence the amount of actual damages, if any, proximately caused by the wrongful conduct of the defendant, then it would be your duty to write that amount in the blank space provided.

JURY INSTRUCTION NO. 13—PUNITIVE DAMAGES: LIABILITY OF DEFENDANT

The eighth question reads: “Do you find by clear and convincing evidence that by its negligence defendant Smith & Nephew acted with actual malice, ill will, and/or fraudulently?”

If you find for the plaintiff and award damages to compensate for the injuries or losses suffered, you may go on to consider whether to make an award for punitive damages.

An award of punitive damages in this case requires that the defendant acted with malice. While an award for compensatory damages may be based upon a finding that the defendant made a representation with reckless indifference to its truth, this is not sufficient to warrant the award of punitive damages. Negligence, however gross, is not enough to award punitive damages. The defendant's knowledge of the falsity of the representation, coupled with the expectation that plaintiff would rely upon the representation, is the state of mind that justifies the award of punitive damages.

The purpose of punitive damages is not to compensate the plaintiff, but to punish the defendant and to deter others from this type of conduct in the future..

The plaintiff must prove this claim by clear and convincing evidence.

Clear and convincing evidence is evidence which, in its character and weight, establishes what the plaintiff seeks to prove in a clear and convincing fashion. You shall interpret and apply the words “clear” and “convincing” in accordance with their commonly understood and accepted meanings in everyday speech.

As to this question on which the plaintiff has the burden of proof, if you find by the standards herein explained that the acted with willful or wanton misconduct, then it would be your duty to answer this issue “Yes” in favor of the plaintiff.

If, on the other hand, you fail to so find, then it would be your duty to answer “No” in favor of the defendant.

JURY INSTRUCTION NO. 14—GENERAL INSTRUCTIONS

In conclusion, let me remind you that your verdict must be unanimous, reflecting the judgment of each and every one of you. Consider it in the jury room deliberately and carefully, in light of the instructions which I have given you, and use the same common sense and the same intelligence that you would use in determining any important matter you have to decide in the course of your own affairs.

It is your duty, as Jurors, to consult with one another and deliberate with a view to reaching an agreement, if you can do so without violence to individual judgment. Each of you must decide the case for yourself, but do so only after an impartial consideration of the evidence with your fellow Jurors. In the course of your deliberations, do not hesitate to re-examine your own views and change your opinion if convinced it is erroneous. But do not surrender your honest conviction as to the weight or effect of evidence solely because of the opinion of your fellow Jurors, or for the mere purpose of returning a verdict.

Upon retiring to the jury room, your first duty will be to elect a foreperson. The foreperson has no extra vote, but he or she will preside over your deliberations and be your spokesperson in court.

If it becomes necessary during your deliberations to communicate with the Court, you may send a note by the Court security officer. Never attempt to communicate with the Court except in writing. You will note from the oath about to be taken by the court security officer that they too, as well as all other persons, are forbidden from communicating in any way or manner with any member of the jury on any subject related to the merits of the case. And bear in mind always that you are not to reveal to the court or to any person how the jury stands, in terms of any numerical division or vote you may have taken until after you have reached a unanimous verdict.

In order to record your verdict in this case, we have prepared a verdict form for you.

When you have reached a unanimous agreement, the foreperson should fill out the verdict form in accordance with your agreement. Then the foreperson should sign and date the form in the space provided.

When you have agreed and finished completing the verdict form, the foreperson should knock on the door and inform the Clerk or court security officer simply that you have agreed upon a verdict. The foreperson should not disclose or indicate in any way what your verdict is at that time. The verdict must be announced for the first time in open court.

When you return to the jury box, the Clerk will ask you, "Have you agreed upon your verdict?" And we hope that you collectively will respond that you have.

The Clerk will then ask, "Who shall say for you?" All of you will respond, "Our foreperson."

Your foreperson will then stand and present the verdict form to the Clerk who will show it to me. After my review, it will be returned to the Clerk for reading in open court.

EXHIBIT L - PLAINTIFFS' PROPOSED SPECIAL VERDICT FORM

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Baltimore Division)**

PHYLLIS MOSCA, PLAINTIFF, v. SMITH & NEPHEW, INC. DEFENDANT.	Judge Catherine C. Blake Civil No. 1:18-cv-3520
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SPECIAL VERDICT FORM

1. Do you find by the greater weight of the evidence that defendant Smith & Nephew negligently asserted false or misleading statements about the revision risk of the BHR to Phyllis Mosca's surgeon, Dr. Henry Boucher, either directly in written materials, through its sales representatives, or through surgeons associated with Smith & Nephew at medical education conferences?

Yes _____ No _____

If you answered Question No. 1 "No", you should go no further, sign the verdict form on the last page and return your verdict to the Court.

If you answered Question No. 1 "Yes", you should go to Question No. 2.

2. Do you find by the greater weight of the evidence that defendant Smith & Nephew intended that its false or misleading statements about the revision risk of the BHR would be acted upon by Dr. Boucher?

Yes _____ No _____

After you answer this question, regardless of your answer, go to the next question.

3. Do you find by the greater weight of the evidence that defendant Smith & Nephew knew that Dr. Boucher would rely on its statements, the statements of its sales

representatives, and/or by statements made at medical education conferences by surgeons associated with Smith & Nephew?

Yes _____ No _____

After you answer this question, regardless of your answer, go to the next question.

4. Do you find by the greater weight of the evidence that Dr. Boucher relied on statements made by Smith & Nephew to him directly, through sales representatives, and/or by surgeons associated with Smith & Nephew at medical education conferences, and that this reliance was justifiable?

Yes _____ No _____

After you answer this question, regardless of your answer, go to the next question.

5. Do you find by the greater weight of the evidence that Smith & Nephew's negligence proximately caused Phyllis Mosca's injuries?

Yes _____ No _____

If you have answered every question above "Yes", go to the next question. If you have answered any of the above questions "No" then you should go no further, sign the verdict form on the last page, and return your verdict to the Court.

6. What is the total amount you award to plaintiff Paula Redick for the following compensatory damages, if any?

Pain and suffering \$ _____

If you have awarded compensatory damages in response to Question No. 6, please answer Question No. 7. If you have not awarded compensatory damages in response to Question No. 6, you should go no further, sign the verdict form on the last page and return your verdict to the Court.

7. Do you find by clear and convincing evidence that by its negligence defendant Smith & Nephew acted with actual malice, ill will, and/or fraudulently?

Yes _____ No _____

Foreperson: _____

Date: _____

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Baltimore Division)**

IN RE: SMITH & NEPHEW BIRMINGHAM HIP RESURFACING (BHR) HIP IMPLANT PRODUCTS LIABILITY LITIGATION	MDL No. 2775 Master Docket No. 1:17-md-2775 JUDGE CATHERINE C. BLAKE THIS DOCUMENT RELATES TO: <i>Phyliss Mosca v. Smith & Nephew, Inc.</i> , No. 1:18-cv-03520
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**EXHIBIT M - DEFENDANT SMITH & NEPHEW, INC.'S
PROPOSED JURY INSTRUCTIONS**

Defendant Smith & Nephew, Inc. (“Smith & Nephew”) hereby submits its requested jury instructions to be used at the trial of this matter set to begin on January 18, 2022. The attached instructions include (i) the Court’s standard instructions, as modified, (ii) pattern jury instructions from Maryland, modified as appropriate, (iii) additional requested instructions consistent with applicable law and rulings in this case, and (iv) an instruction given in the *Redick* case that is applicable here. Smith & Nephew notes that it is submitting instructions on negligent misrepresentation and punitive damages over its objections based on prior briefing on its Motion for Summary Judgment and argument to this Court. In addition to its previously asserted objections, Smith & Nephew submits that Maryland does not recognize a claim for negligent misrepresentation by omission in the circumstances alleged here, and that punitive damages are not available with a negligent misrepresentation claim, which is the only claim remaining in this case. Smith & Nephew reserves the right to modify or submit additional instructions in light of additional evidence submitted at trial and/or any legal rulings issued by the Court prior to the time the jury is instructed.

SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 1

GENERAL INSTRUCTIONS

MEMBERS OF THE JURY:

At the outset, I want to thank you for your patience and attention throughout this case. All the parties appreciate your careful consideration of the evidence, your patience with our recesses and delays, and your promptness, even when we are not as prompt as you.

As you may already know, the functions of the Judge and of the Jury in a case of this sort are quite different. It is my duty as Judge to instruct you as to the law which applies to this case. It is your duty to decide the facts, and then to apply the law as I state it to you.

You should not single out any one sentence or individual point in these instructions and ignore the others. Rather, you should consider all of my instructions as a whole, and you should consider each instruction in the light of all others. Counsel may quite properly refer to some of the governing rules of law in their arguments. If, however, any difference appears to you between the law as stated by counsel and that stated in these instructions, you should of course follow these instructions.

You and only you are the judges of the facts. If any expression of mine, or anything I may or may not have done or said during the course of the trial, seemed to indicate any opinion I might have on any factual matters, I instruct you to disregard it. You must perform your duties as jurors without bias or prejudice as to any party. The law does not permit you to be governed by sympathy, prejudice or public opinion. All persons, including corporations, stand equal before the law and are entitled to the same fair treatment under the law. Accordingly, it would be improper for you to consider any personal feelings you may have about any party's or witness's race, religion, national origin, sex or age. It would be equally improper for you to allow any feelings you might have about

the nature of the claim against the defendant to influence you in any way. Our judicial system cannot work unless you reach your verdict only through a fair and impartial consideration of the evidence.

There are, generally speaking, two types of evidence from which a jury may properly find the truth as to the facts of a case. One is direct evidence - such as the testimony of an eyewitness. The other type of evidence is indirect or circumstantial evidence - the proof of a chain of circumstances pointing to the existence or non-existence of certain facts.

There is a simple example of circumstantial evidence which is often used. Assume that when you came into the courthouse this morning the sun was shining. As you were sitting here, someone walked in with an umbrella that was dripping wet. Someone else then walked in with a raincoat that was also dripping wet. You cannot look outside of the courtroom; consequently, you have no direct evidence of whether or not it is raining. But, on the combination of facts, it would be reasonable and logical for you to conclude that it had been raining.

That is all there is to the definition of circumstantial evidence. You infer on the basis of reason and experience from an established fact the existence or the nonexistence of some other fact. Circumstantial evidence is of no less value than direct evidence. As a general rule, the law makes no distinction between direct and circumstantial evidence, but simply requires that the jury find the facts in accordance with the preponderance of all the evidence in the case, both direct and circumstantial.

In deciding the facts, you may consider not only any evidence to which I may refer, and the evidence to which you may be referred by counsel in their arguments, but you may also consider any testimony or exhibits in the case, whether or not referred to by me or by counsel, which you believe to be important to your decision. You are to consider only the evidence presented, and you may not guess or speculate as to the existence of any facts in this case. But in

considering the evidence, you are permitted to draw, from facts you find have been proved, such reasonable inferences as seem justified in the light of your own experience. Inferences are deductions or conclusions which reason and common sense lead you to draw from facts which have been established by the evidence in the case.

The questions and arguments of counsel are not evidence and should not be considered as evidence. The evidence in the case, which you may consider with respect to all claims, consists of the sworn testimony of the witnesses, regardless of who may have called them; all exhibits received in evidence, regardless of who may have produced them, and all facts which may have been admitted or stipulated. Any evidence as to which an objection was sustained by the court, and any evidence ordered stricken by the court, must be entirely disregarded. Anything you may have seen or heard outside the courtroom is not evidence, and must be entirely disregarded.

A number of exhibits have been admitted into evidence in this case and will be available for your review. Do not pay any special attention to which side introduced an exhibit, or to the numbers on the exhibits as counsel pre-marked them to help the Court Clerk and at trial may have decided against the use of certain ones. You may consider the exhibits that have been admitted for any purpose, consistent with these instructions, that will help you evaluate the merits of this case. You should give the exhibits the weight and credibility that you deem appropriate.

During the course of the trial, I may have occasionally asked questions of a witness, in order to bring out testimony I was not clear about. Do not assume that I hold any opinion on the matters to which my questions may have related. At times throughout the trial, I have been asked to rule on the admissibility of certain offered evidence. You should not be concerned with my rulings or the reason for them. Whether evidence which has been offered is admissible or is not admissible is purely a question of law, and you should not draw any inferences from my rulings on the admissibility of evidence. In admitting evidence to which an objection has been made, I do

not determine what weight should be given to such evidence; that is up to you. You must not guess what the answer might have been to any question to which an objection was sustained, and you must not speculate as to the reason the question was asked or the reason for the objection.

You, as jurors, are the sole judges of the credibility of the witnesses and the weight their testimony deserves. You are not required to believe any witness even though his or her testimony is uncontradicted. In determining whether or not to believe a witness, you should carefully scrutinize the testimony given, the circumstances under which each witness has testified, and every matter in evidence which tends to indicate whether the witness is worthy of belief. Consider each witness' intelligence, motive and state of mind, and his or her demeanor and manner while on the stand. Consider the witness' ability to observe the matters as to which he or she has testified, and whether the witness impresses you as having an accurate recollection of these matters. Consider also any relation each witness may bear to either side of the case; the manner in which each witness might be affected by the verdict; and the extent to which, if at all, the testimony of each witness is either supported or contradicted by other evidence.

Inconsistencies or discrepancies in the testimony of a witness, or between the testimony of different witnesses, may or may not cause the jury to discredit such testimony. Two or more persons witnessing an incident may see or hear it differently; innocent mis-recollection, like failure of recollection, is not an uncommon experience. Inconsistencies or discrepancies in the testimony of a witness, or between the testimony of different witnesses, should be considered by you, but, in weighing their effect, you should consider whether the inconsistencies or discrepancies relate to a matter of importance or an unimportant detail, and whether the discrepancy or inconsistency results from innocent error or willful falsehood.

A witness may be discredited, not only by contradictory evidence, but also by evidence that at other times the witness has made statements which are inconsistent with the present

testimony of that witness. In weighing the testimony of any witness, therefore, you should consider whether he or she has made statements at other times which are inconsistent with his or her present testimony, and whether such inconsistency, if you find any, results from innocent error or willful falsehood, as well as whether it relates to a matter of importance or an unimportant detail.

Some of the testimony before you is in the form of depositions which have been received in evidence. A deposition is simply a procedure where prior to trial the attorneys may question a witness or an adversary party under oath as recorded by a court stenographer. This is part of the pretrial discovery, and each side is entitled to take depositions. Due to the COVID-19 pandemic, many depositions in this case had to be conducted remotely, which is not the usual situation. You should draw no inferences from the fact that some depositions were remote and some were in person. You may consider the testimony of a witness given at a deposition according to the same standards you would use to evaluate the testimony of a witness given at trial.

After you have considered all the factors bearing upon the credibility of a witness which I have mentioned to you, you may decide to accept all of the testimony of a particular witness, none of the testimony of a particular witness, or part of the testimony of a particular witness. In other words, you may give the testimony of any witness such credibility and weight, if any, as you may think it deserves.

A witness who has special training or experience in a given field is permitted to express opinions based on observed or assumed facts to help you in deciding the issues in the case. In weighing the opinions of an expert, you should consider the expert's experience, training and skills, the expert's knowledge of the subject matter about which he is expressing an opinion, and the reasons the expert gives in support of his opinion.

You should give expert testimony the weight and value you believe it should have. You are not required to accept any particular expert's opinion. You should consider an expert's opinion together with all the other evidence.

You should not decide any issue of fact in this case based on which side brings the greater number of witnesses, or presents the greater quantity of evidence. Instead, you should base your decision on which witness, and which evidence, appeals to your minds as being most accurate, and otherwise trustworthy.

The law does not require any party to call as witnesses all persons who may have been present at any time or place involved in the case, or who may appear to have some knowledge of the matters in issue at this trial. Nor does the law require any party to produce as exhibits all papers and things mentioned in the evidence in the case.

Most of the instructions I have given you so far apply to any civil case. Now I will give you some specific instructions about the claims in this case.¹

¹ See Judge Blake's standard civil jury instructions, as modified; MPJI-Cv 1:5 (Impartiality in Consideration).

**SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 2 – BURDEN OF PROOF –
PREPONDERANCE OF EVIDENCE STANDARD**

The party who asserts a claim or affirmative defense has the burden of proving it by what we call the preponderance of the evidence. In order to prove something by a preponderance of the evidence, a party must prove that it is more likely so than not so. In other words, a preponderance of the evidence means such evidence which, when considered and compared with the evidence opposed to it, has more convincing force and produces in your minds a belief that it is more likely true than not true. In determining whether a party has met the burden of proof you should consider the quality of all of the evidence regardless of who called the witness or introduced the exhibit and regardless of the number of witnesses which one party or the other may have produced. If you believe that the evidence is evenly balanced on an issue, then your finding on that issue must be against the party who has the burden of proving it.²

² MPJI-Cv 1:14.

SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 3 - CASE SUBMISSION ON QUESTIONS

In this case, it will be your duty to return your verdict in the form of written answers to the written questions which are submitted to you by the court. Your answers will constitute your verdict. Each answer is to be written in the space provided after each question. Before making each answer, all of you must agree upon it. It is your duty to answer each of these questions in accordance with the evidence in the case.³

³ MPJI-Cv 1:19.

**SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 4—
FDA AND SCOPE OF THE CASE**

At the beginning of the case, you were instructed that the BHR was approved by the Federal Food and Drug Administration (“FDA”) for marketing and sale in the United States in May 2006. Under federal law, the plaintiff cannot challenge whether the design approved by the FDA was safe and effective. She also cannot challenge the labeling for the BHR, including the instructions for use (“IFU”) or Important Medical Information (“IMI”), which were approved by the FDA. The labeling for the BHR is the primary means by which the FDA communicates product information with physicians. After a medical device receives approval, the manufacturer is forbidden to make changes in the labeling without FDA permission. Accordingly, this case is not a challenge to the product’s design or the labeling that was approved by the FDA, including the warnings, precautions, and indications for use contained in the labeling. You may not find for the Plaintiff on any claim based on statements made in the BHR’s FDA-approved labeling, or based on statements consistent with the approved labeling that were made in other, voluntary communications to Dr. Boucher.

You are instructed that there is no failure to warn claim in this case. As a matter of federal law, Smith & Nephew had no duty to warn plaintiffs or the medical community, including Dr. Boucher, concerning the risks and benefits of the BHR. There is also no claim in this case relating to Dr. Boucher’s training. Dr. Boucher was trained in 2006 and the revision rates presented to him during his training were consistent with the labeling for the BHR and cannot be the basis for any claim against Smith & Nephew.

Further, Plaintiff does not contend that the overall revision rates for the BHR in any voluntary communications from Smith & Nephew to Dr. Boucher such as “Dear Doctor Letters” were inaccurate. Instead, with regard only to voluntary communications Smith & Nephew made

to Dr. Boucher, Plaintiff claims that the overall revision rates in those communications were misleading to Dr. Boucher because they suggested to him that for female patients, such as Ms. Mosca, who required a BHR implant with a smaller femoral head component, the revision rates were the same as the overall revision rates for all patients receiving the BHR. Smith & Nephew denies that any voluntary communications it made to Dr. Boucher were false.⁴

⁴ See *In re Smith & Nephew Birmingham Hip Resurfacing (BHR) Prods. Liab. Litig.*, 300 F. Supp. 3d 732, 745 (D. Md. 2018) (Plaintiffs' claims "cannot be supported by representations that the FDA required Smith & Nephew to make . . ."); Memorandum [D.E. 2715] (May 17, 2021) at 20, 41; Memorandum [D.E. 608] (Mar. 26, 2021) at 18-19.

SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 5—DEFINITION OF NEGLIGENCE

Negligence is doing something that a person using reasonable care would not do, or not doing something that a person using reasonable care would do. Reasonable care means that caution, attention, or skill a reasonable person would use under similar circumstances.⁵

⁵ MPJI-Cv 19:1.

**SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 6—NEGLIGENT
MISREPRESENTATION**

To recover damages for negligent misrepresentation, the plaintiff must prove:

- (1) the defendant, owing a duty of care to the plaintiff, negligently made a false statement of material fact;
- (2) the defendant intended that Dr. Boucher would act in reliance upon the statement;
- (3) the defendant knew that Dr. Boucher probably would rely on the statement, which, if false, would cause loss or injury to the plaintiff;
- (4) Dr. Boucher justifiably acted in reliance on the statement; and
- (5) the plaintiff suffered damage as a result of the defendant's negligent false statement of material fact.⁶

⁶ MPJI-Cv 19:6, modified.

SMITH & NEPHEW’S PROPOSED JURY INSTRUCTION NO. 7—DUTY OF CARE

In order to prove that defendant owed a duty of care to plaintiff or her physician Dr. Boucher, plaintiff must show that the existence of an “intimate nexus” between the parties, which means that the relationship between the parties was such that the plaintiff or her surgeon had the right to rely on defendant for information, and defendant owed a duty, if it voluntarily gave information, to give it with care. Further, you are instructed that Smith & Nephew had “no duty to communicate information to patients or the medical community.”⁷ In determining whether a duty of care existed, you may consider whether the defendant had exclusive control over material information relating to the BHR.⁸

⁷ *In re BHR*, 300 F. Supp. 3d at 745.

⁸ *Arvon v. Liberty Mut. Fire Ins. Co.*, No. 20-1249, __ Fed. Appx. __, 2021 U.S. App. LEXIS 23318, *17-18 (4th Cir. Aug. 4, 2021) and cases cited therein.

SMITH & NEPHEW’S PROPOSED JURY INSTRUCTION NO. 8—MATERIAL FACT-DEFINED

A fact is material if under the circumstances a reasonable person would rely upon it in making his or her decision.

A fact may also be material, even though a reasonable person might not regard it as important, if the person stating it knows that the person with whom he or she is dealing probably will use the fact in determining his or her course of action.

A misrepresentation is generally immaterial if the party to whom it is made reasonably could have ascertained the true facts.⁹

⁹ MPJI-Cv 11:4, modified; *Gross v. Sussex Inc.*, 630 A.2d 1156, 1162 (Md. 1993) (“In the case of negligent misrepresentation, as in fraud, the false statement, although negligently made, must be of a material fact”) (internal citation omitted); *accord Arvon v. Liberty Mut. Fire Ins. Co.*, No. 20-1249, __ Fed. Appx. __, 2021 U.S. App. LEXIS 23318, *13 (4th Cir. Aug. 4, 2021).

SMITH & NEPHEW’S PROPOSED JURY INSTRUCTION NO. 9—PROXIMATE CAUSATION

For the plaintiff to recover damages, the plaintiff must establish “proximate cause,” *i.e.*, the plaintiff’s injuries must result from and be a reasonably foreseeable consequence of the defendant’s negligence.¹⁰

¹⁰ MPJI-Cv 19:10, modified.

SMITH & NEPHEW’S PROPOSED JURY INSTRUCTION NO. 10—ASSUMPTION OF RISK

A plaintiff cannot recover damages if the plaintiff has assumed the risk of an injury. A person assumes the risk of an injury if that person knows and understands, or must have known and understood, the risk of an existing danger and voluntarily chose to encounter that danger.¹¹

¹¹ MPJI-Cv 19:14.

SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 11—DAMAGES- GENERALLY

If you find for the plaintiff on the issue of liability, then you must consider the question of damages. It will be your duty to determine what, if any, award will fairly compensate the plaintiff.

The plaintiff has the burden to prove by a preponderance of the evidence each item of damage claimed to be caused by the defendant. In considering the items of damage, you must keep in mind that your award must adequately and fairly compensate the plaintiff. However, an award should not be based on guesswork.¹²

¹² MPJI-Cv 10:1.

SMITH & NEPHEW’S PROPOSED JURY INSTRUCTION NO. 12—COMPENSATORY DAMAGES FOR BODILY INJURY

In an action for damages in a personal injury case, you shall consider the following:

- (1) The personal injuries sustained and their extent and duration;
- (2) The effect such injuries have on the overall physical and mental health and wellbeing of the plaintiff;
- (3) The physical pain and mental anguish suffered in the past;
- (4) The medical and other expenses reasonably incurred in the past;

In awarding damages in this case you must itemize your verdict or award to show the amount intended for:

- (1) The medical expenses incurred in the past;
- (2) The “Noneconomic Damages” sustained in the past. All damages that you find for pain, suffering, inconvenience, physical impairment, or other non-pecuniary injury are “Noneconomic Damages.”¹³

¹³ MPJI-Cv 10:2, modified. Smith & Nephew objects to any instruction relating to “present” or “future” damages as unsupported by the evidence and not adequately pled prior to trial.

**SMITH & NEPHEW’S PROPOSED JURY INSTRUCTION NO. 13—PUNITIVE DAMAGES-
GENERALLY**

(TO BE GIVEN ONLY IF THE COURT DETERMINES THAT PUNITIVE DAMAGES SHOULD GO TO THE JURY, AND SUBJECT TO SMITH & NEPHEW’S BIFURCATION MOTION)¹⁴

If you have found for the plaintiff and awarded damages to compensate for the injuries or losses suffered, you will be asked if you find by clear and convincing evidence that the defendant acted with malice. This burden of proof requires more than a preponderance of the evidence, but less than proof beyond a reasonable doubt. To be clear and convincing, evidence should be certain, plain to the understanding, and unambiguous in the sense that it is so reasonable and persuasive as to cause you to believe it. Malice is conduct motivated by evil motive, intent to injure, ill will, or fraud.

(To be used only if the jury awards compensatory damages and finds malice by clear and convincing evidence, subject to Smith & Nephew’s Bifurcation Motion):

You may, but are not required to consider whether to make an award for punitive damages. The purpose of punitive damages is not to compensate the plaintiff, but to punish the defendant and to deter others from this type of conduct in the future.

An award for punitive damages should be:

- (1) In an amount that will deter the defendant and others from similar conduct.
- (2) Proportionate to the wrongfulness of the defendant’s conduct and the defendant’s ability to pay.

¹⁴ This instruction is submitted without waiver of Smith & Nephew’s objections to punitive damages being submitted to the jury, as stated in its prior summary judgment motion and because Maryland law does not permit punitive damages in a negligent misrepresentation case.

(3) Not designed to financially destroy a defendant.¹⁵

¹⁵ MPJI-Cv 10:14, modified.

SMITH & NEPHEW'S PROPOSED JURY INSTRUCTION NO. 14—GENERAL INSTRUCTIONS

In conclusion, let me remind you that your verdict must be unanimous, reflecting the judgment of each and every one of you. Consider it in the jury room deliberately and carefully, in light of the instructions which I have given you, and use the same common sense and the same intelligence that you would use in determining any important matter you have to decide in the course of your own affairs.

It is your duty, as Jurors, to consult with one another and deliberate with a view to reaching an agreement, if you can do so without violence to individual judgment. Each of you must decide the case for yourself, but do so only after an impartial consideration of the evidence with your fellow Jurors. In the course of your deliberations, do not hesitate to re-examine your own views and change your opinion if convinced it is erroneous. But do not surrender your honest conviction as to the weight or effect of evidence solely because of the opinion of your fellow Jurors, or for the mere purpose of returning a verdict.

Upon retiring to the jury room, your first duty will be to elect a foreperson. The foreperson has no extra vote, but he or she will preside over your deliberations and be your spokesperson in court.

If it becomes necessary during your deliberations to communicate with the Court, you may send a note by the Court security officer. Never attempt to communicate with the Court except in writing. You will note from the oath about to be taken by the court security officer that they too, as well as all other persons, are forbidden from communicating in any way or manner with any member of the jury on any subject related to the merits of the case. And bear in mind always that you are not to reveal to the court or to any person how the jury stands, in terms of any numerical division or vote you may have taken until after you have reached a unanimous verdict.

In order to record your verdict in this case, we have prepared a verdict form for you.

When you have reached a unanimous agreement, the foreperson should fill out the verdict form in accordance with your agreement. Then the foreperson should sign and date the form in the space provided.

When you have agreed and finished completing the verdict form, the foreperson should knock on the door and inform the Clerk or court security officer simply that you have agreed upon a verdict. The foreperson should not disclose or indicate in any way what your verdict is at that time. The verdict must be announced for the first time in open court.

When you return to the jury box, the Clerk will ask you, “Have you agreed upon your verdict?” And we hope that you collectively will respond that you have.

The Clerk will then ask, “Who shall say for you?” All of you will respond, “Our foreperson.”

Your foreperson will then stand and present the verdict form to the Clerk who will show it to me. After my review, it will be returned to the Clerk for reading in open court.¹⁶

¹⁶ Judge Blake’s standard civil jury instructions.

Dated: November 19, 2021

Respectfully Submitted,

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Counsel for Defendant Smith & Nephew, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Baltimore Division)**

PHYLISS MOSCA, PLAINTIFF, v. SMITH & NEPHEW, INC. DEFENDANT.	Judge Catherine C. Blake Civil No. 1:18-cv-03520
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EXHIBIT N - SMITH & NEPHEW, INC.'S PROPOSED SPECIAL VERDICT FORM

1. Do you find by the greater weight of the evidence that defendant Smith & Nephew negligently made a false statement of material fact in a voluntary communication to Dr. Boucher with the intention that he would act in reliance upon it and with the knowledge that he probably would rely upon it?

Yes _____ No _____

If you answered Question No. 1 "Yes", please answer Question No. 2. If you answered Question No. 1 "No", you should go no further, sign the verdict form on the last page and return your verdict to the Court..

2. Do you find by the greater weight of the evidence that Dr. Boucher justifiably relied on the same false statement of material fact made to him by Smith & Nephew?

Yes _____ No _____

If you answered Question No. 2 "Yes", please answer Question No. 3. If you answered Question No. 2 "No", you should go no further, sign the verdict form on the last page and return your verdict to the Court.

3. Do you find by the greater weight of the evidence that plaintiff Phyliss Mosca suffered damage as a proximate result of Smith & Nephew's negligent false statement to Dr. Boucher?

Yes _____ No _____

If you answered Question No. 3 “Yes”, please answer Question No. 4. If you answered Question No. 3 “No”, you should go no further, sign the verdict form on the last page and return your verdict to the Court.

4. Do you find by the greater weight of the evidence that plaintiff Phyliss Mosca assumed the risk of an injury because she knew and understood the risks of use of the BHR before it was implanted?

Yes _____ No _____

If you answered Question No. 4 “Yes”, you should go no further, sign the verdict form on the last page and return your verdict to the Court. If you answer Question No. 4 “No”, please answer Question No. 5.

5. What is the total amount you award to plaintiff Phyliss Mosca for the following compensatory damages, if any?

Medical Expenses incurred in the past \$ _____

Noneconomic Damages incurred in the past \$ _____

If you have awarded compensatory damages in response to Question No. 5, please answer Question No. 6. If you have not awarded compensatory damages in response to Question No. 5, you should go no further, sign the verdict form on the last page and return your verdict to the Court.

6. Do you find by clear and convincing evidence that by making a negligent misrepresentation to Dr. Boucher defendant Smith & Nephew acted with malice?

Yes _____ No _____

Foreperson: _____

Date: _____

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0001		Midland Medical Technologies NICE Submission 2001; MMT Submission to NICE		Expect to offer
PX0002		Nikki Tildesley, Smith & Nephew Research Manager; Audit Facilitator for McMinn data; Convinced Unreported Revisions		Expect to offer
PX0003		Australian Registry Resurfacing Results 2007		Expect to offer
PX0004		First Cash Cow		Expect to offer
PX0005		Head Size and Gender and Metal Ions Problem		Expect to offer
PX0006		Dear Doctor Letter 2009		Expect to offer
PX0007		2009 Ad Hoc Request 425		Expect to offer
PX0008		Ad Hoc Report		Expect to offer
PX0009		Internal Ad Hoc Discussion from Damon Mogridge; AOA Ad Hoc Internal Discussion		Expect to offer
PX0010		Dear Doctor Letter by Peter Heekct (Extracted pages from 2009-11-12 CBE Supplement)		Expect to offer
PX0011		"Grow a Pair" Email; Grow a Pair and Defend BHR		Expect to offer
PX0012		BHR Marketing Call Script and Notes; Tom Troup Emails Re: Updated Script		Expect to offer
PX0013		Grow and Defend BHR		Expect to offer
PX0014		Peter Heeck Label Change Email 2010; Official Smoking Gun Email		Expect to offer
PX0015		12/9/10 email from DeVivo to Burns, Subject: Re: New BHR creative/campaign; BLAZING Sprinkle Says Eventually Supplement Label		Expect to offer
PX0016		Letter from Stephen Graves Re: Use of BHR Data for Surgeon Education; SN Can Use Public Data		Expect to offer
PX0017		Dear Doctor Letter 2011		Expect to offer
PX0018		Women Only British Registry Data; BHR Ad Hoc Women Only Data		Expect to offer
PX0019		Dave Telling Emails re: BHR Ad Hoc Data Request AJJR; Good Call Likely Not		Expect to offer
PX0020		ii4sm, Smith & Nephew Medical Device Safety Project, 8/31/2011		Expect to offer
PX0021		Peter Heeck "Functionally Terminated" Email		Expect to offer
PX0022		Examples of Ad Hoc Reports; Ad Hoc BHR Failure Rates- Answers Women's Questions		Expect to offer
PX0023		British Registry Data Given to CEO for Investor Call (Email 1/31/12 From Soto-MoM Follow up); Soto Random Medcalc Email	Yes; Incomplete	Expect to offer
PX0024		Dear Doctor Letter 2012		Expect to offer
PX0025		Dave Telling Email "Trending Shows"; Telling Complaints Trending Shows Females Small Head Size		Expect to offer
PX0026		Tim Band Milk the Cash Cow Presentation		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0027		PP Sell in US to Retarding OUS Sales Decline pg 6		Expect to offer
PX0028		Dear Valued Customer Letter		Expect to offer
PX0029		Band BHR Update misreps		Expect to offer
PX0030		Dear Doctor Letters	Yes; Incomplete	Expect to offer
PX0031		Dear JBJS Reader: Not your average Metal on Metal		Expect to offer
PX0032		Birmingham Hip Resurfacing, 2008, Marketing Planning		Expect to offer
PX0033		BHR PMA App Final (07/16/2004)		Expect to offer
PX0034		Owestry Audit Memo (10/24/2004)		Expect to offer
PX0035		BHR Audit Memo (06/27/2005)	Yes; Not Produced (Missing Bates)	Expect to offer
PX0036		Summary of BHR Audit Preapproval (06/27/2005)	Yes; Not Produced (Missing Bates)	Expect to offer
PX0037		PMA Supplement in response to deficiency letter - S&N Advising of changes to US Post Approval Study Protocol		Expect to offer
PX0038		Email from Brian Austin to Craig J. Della Valle, MD re: Hip Proposal		Expect to offer
PX0039		Email from Brian Austin to Craig J. Della Valle, MD re: Hip Proposal		Expect to offer
PX0040		Letter from Rob Cripe (VP Global Hip Franchise) to Dr. Hozack re: Hip Projects	Yes; Incomplete	Expect to offer
PX0041		24 Month PMA Annual Report		Expect to offer
PX0042		Global Hip Franchise 5 Year Vision		Expect to offer
PX0043		E-mail Re: G060104/S006 CONFIDENTIAL -06/18/08		Expect to offer
PX0044		Smith & Nephew document titled "Knock out your hip competition"		Expect to offer
PX0045		36 Month PMA Annual Report		Expect to offer
PX0046		Report on Primary Total Hip Replacements in Patients <65 Years of Age		Expect to offer
PX0047		Birmingham Hip PPT: Australian Registry Analysis October 2009 Damon Mogridge		Expect to offer
PX0048		E-mail attaching Australian Registry data 10/16/2009		Expect to offer
PX0049		copy of PMA Supplement 2009		Expect to offer
PX0050		AAOS Survey, Global Hip Franchise Overview- June 2010	Yes; Incomplete	Expect to offer
PX0051		Smith & Nephew PPT 2010: Advanced Bearing Systems- Business Update & Presentation to Naseem Amin (Chief Scientific Officer, Smith & Nephew Plc) By Tim Band, Global Director		Expect to offer
PX0052		Smith & Nephew document titled "FMEA- All BHR Implants, July 10"		Expect to offer
PX0053		BHR PPT 2010: Evolving Metallurgical Issues in Hip Resurfacing- Birmingham Hip Resurfacing Master's Course		Expect to offer
PX0054		BHR ad hoc data request emails (talking about smaller head size causing problems)		Expect to offer
PX0055		E-mail chain 1/26/2011		Expect to offer
PX0056		Peter Heeckt PPT on BHR Australian Registry Update		Expect to offer
PX0057		Email, Makris to various Re: FDA overview of MoM hip replacement and resurfacing 2/16/2011		Expect to offer
PX0058		Email from Gino Rouss to Dave Telling Re: Peter Heeckt		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0059		E-mail attaching Warwick Audit		Expect to offer
PX0060		Email from Andy Hardison to Jerry Howard re: Warwick Audit 3-9-11		Expect to offer
PX0061		Email from Theresa Leister to Courtney Taylor re: BHR ad hoc data request AJJR		Expect to offer
PX0062		E-mail attaching audit		Expect to offer
PX0063		Medical Device Reporting and Safety Requirements Document 8/31/11		Expect to offer
PX0064		Smith & Nephew PPT: ABS Update September 2011		Expect to offer
PX0065		Email from Courtney Taylor to John Clausen re: Urgent Review Request		Expect to offer
PX0066		S&N Deferred Prosecution Agreement		Expect to offer
PX0067		3/12/12 email from Moy to Tomkins, Subject: FW: NJRR ad hoc request		Expect to offer
PX0068		E-mail dated 3-16-12, with attachment		Expect to offer
PX0069		Email 3/28/12 Wilkinson-Medical Device Safety Project		Expect to offer
PX0070		5/8/12 report to FDA, Docket No. FDA-2012-N-0293		Expect to offer
PX0071		Email from Craig J. Della Valle, MD to Derek McMinn re: Testing of Polymix Resurfacing Cup		Expect to offer
PX0072		Email from Markus Pottker-Kroll to Andy Weymann re: WG: Proposal for Complaints Handling and Risk Management at Smith & Nephew		Expect to offer
PX0073		R3: Part 806 and Part 7 Medical Devices; Reports of Corrections and Removal for R3		Expect to offer
PX0074		Smith & Nephew Monthly Marketing Meeting PPT 7/18/2012		Expect to offer
PX0075		2012 BHR Sales of Women and Smaller Device Sizes		Expect to offer
PX0076		Reports and Charts within Institute for Outcome Research in Orthopaedics		Expect to offer
PX0077		European Reconstruction SBU 2013; "Cash Cow"		Expect to offer
PX0078		Smith & Nephew PPT: BHR Registry Data > Sub-population Analyses by Andy Weymann MD MBA, Chief Medical Officer April 23, 2013		Expect to offer
PX0079		Smith & Nephew 2013 Annual Report to FDA		Expect to offer
PX0080		Clinical Health Hazard Evaluation Form 6/11/14		Expect to offer
PX0081		Email chain 2/12/15 Bill Aubrey		Expect to offer
PX0082		Clinical Health Hazard Evaluation Form		Expect to offer
PX0083		Email from Manoja Ranawake to Blair Fraser re: BHR Field Safety Notice; MHRA ref: 2014/012/019/081/006		Expect to offer
PX0084		Email from Andy Weymann to Branko Kopjar re: BHR IFU OUS		Expect to offer
PX0085		Statistical Analysis Report, Branko Kopjar, MD, MS, PhD (04/06/2015)		Expect to offer
PX0086		Smith & Nephew, Inc. Clinical Health Hazard Evaluation Form, 5/21/2015		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0087		Smith & Nephew PPT: BHR & NGR March 2016 (Includes e-mails/edits for PPT)		Expect to offer
PX0088		Smith & Nephew PPT: Birmingham Hip Resurfacing System Post-approval Study 2016 Annual Report Review		Expect to offer
PX0089		Email from Joseph DeVivo to Derek McMinn CC: Tim Band & Mark Waugh re: Forecasts; Big Balls and Cup Placement Oct 08.ppt		Expect to offer
PX0090		McMinn Center- Site Audit and Training Report	Yes; Not Produced (Missing Bates)	Expect to offer
PX0091		Marcos Velez-Duran Summary of Clinical Studies		Expect to offer
PX0092		McBryde, et. al., The Influence of Head Size and Sex on the Outcome of Birmingham Hip Resurfacing, J. Bone. Joint Surg. Am. 2010		Expect to offer
PX0093		Ollivere, et. al., Early Clinical Failure of the Birmingham Metal-on-Metal Hip Resurfacing Is Associated With Metallosis and Soft-Tissue Necrosis, J. Bone. Joint Surg. Br. 2009 Aug		Expect to offer
PX0094		MHRA and Smith & Nephew Discussions		Expect to offer
PX0095		Medical Education PowerPoints After Graves Letter Did Not Include Warning Graves Approved	Yes; Compilation	Expect to offer
PX0096		Internal Presentations Repeatedly Citing NICE	Yes; Compilation, Annotations	Expect to offer
PX0097		BHR PowerPoint on BHR Differences; 2010 Presentation Heat Treated v. As Cast		Expect to offer
PX0098		An Update on Post Market Surveillance and the Regulatory Status of BHR		Expect to offer
PX0099		The Future of BHR PPT		Expect to offer
PX0100		Email re: "Project X"		Expect to offer
PX0101		BHR2: New Head Design		Expect to offer
PX0102		Hip Strategy Board On The Future of BHR		Expect to offer
PX0103		Owestry Center - Site Audit and Training Report	Yes; Not Produced (Missing Bates)	Expect to offer
PX0104		FDA Establishment Inspection Report		Expect to offer
PX0105		Emails from Andy Weymann Re: McMinn Centre Data		Expect to offer
PX0106		Part 806 Medical Devices; Reports of Corrections and Removal for BHR		Expect to offer
PX0107		FDA Panel Meeting on PMA Application for BHR, September 8, 2005	Yes; Annotations	Expect to offer
PX0108		2010 Changes Being Effectuated		Expect to offer
PX0109		2011 Changes Being Effectuated		Expect to offer
PX0110		Smith & Nephew Internal Memo Re: Conversation with FDA's John Goode		Expect to offer
PX0111		Medical Education Documents and Presentations	Yes; Compilation, Incomplete	Expect to offer
PX0112		BBC News, "Derek McMinn: License restrictions for surgeon who 'kept bones.'" October 31, 2020	Yes; Not Produced (Missing Bates, Website)	Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0113		S&N Letter to MHRA		Expect to offer
PX0114		Smith & Nephew Letter to FDA October 2010		Expect to offer
PX0115		Smith & Nephew 2011 Annual Report to FDA		Expect to offer
PX0116		Smith & Nephew 2012 Annual Report to FDA		Expect to offer
PX0117		Andy Weymann Letter to FDA 2012		Expect to offer
PX0118		Tim Band Presentation to FDA 2012		Expect to offer
PX0119		Larry Spears Expert Report		Expect to offer
PX0120		Ad Hoc Report 425		Expect to offer
PX0121		2009 BHR US Marketing Trends and Plan		Expect to offer
PX0122		PMA Study Trending Analysis		Expect to offer
PX0123		Peter Heeckt Email re: Withdraw BHR		Expect to offer
PX0124		Dr. Yadin David Expert Report		Expect to offer
PX0125		Smith & Nephew ASDD Hip Strategy Board Meeting		Expect to offer
PX0126		Email Re: Oswestry Group		Expect to offer
PX0127		Kopjar Statistical Analysis Report		Expect to offer
PX0128		Mari Truman Engineer's Report		Expect to offer
PX0129		Kaiser Registry Data		Expect to offer
PX0130		Smith & Nephew Orthopedics MoM Technology Group PPT		Expect to offer
PX0131		Exiting BHR in 2010 Business Analysis		Expect to offer
PX0132		General Causation Expert Report of Jeffrey Shapiro. M.D.		Expect to offer
PX0133		CEO Transcript 2011 S&N Earnings Conference Call	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX0134		Email Re: Weymann Advice		Expect to offer
PX0135		Tim Band- Board Presentation		Expect to offer
PX0136		Analysis of Revenue Losses from Withdrawing BHR		Expect to offer
PX0137		R3 Withdrawn To Protect BHR Email		Expect to offer
PX0138		R3 Metal Liners Phase-Out Rationale and Execution Plan		Expect to offer
PX0139		R3 Metal Liners Conference Call Recap		Expect to offer
PX0140		Email from Andy Weymann		Expect to offer
PX0141		PMA Application & Approval Letter / Conditions		Expect to offer
PX0142		Metal-on-Metal State of the Evidence and Recommendations		Expect to offer
PX0143		Andy Weymann THA Strategy		Expect to offer
PX0144		S&N Presentation "What Countries Didn't Know"		Expect to offer
PX0145		2015 BHR Sales of Women and Smaller Device sizes		Expect to offer
PX0146		Email from Russell Walter Confirming Withdrew Smaller BHR to Protect BHR		Expect to offer
PX0147		PowerPoint presentation Why are we Here Today?		Expect to offer
PX0148		L. Scott Marshall Expert Report		Expect to offer
PX0149		L. Scott Marshall CV		Expect to offer
PX0150		Premarket Approval Application for the Smith & Nephew BHR Appendix A Volume 2 of 2		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0151		Premarket Approval Application for the Smith & Nephew BHR Appendix C Volume 1 of 1		Expect to offer
PX0152		Premarket Approval Application for the Smith & Nephew BHR Appendix D Volume 1 of 1		Expect to offer
PX0153		Premarket Approval Application for the Smith & Nephew BHR Appendix E Volume 1 of 1		Expect to offer
PX0154		Amendment to PO40033 September 15, 2004		Expect to offer
PX0155		Amendment to PO40033 September 30, 2004		Expect to offer
PX0156		Amendment #3 BHR PO40033		Expect to offer
PX0157		Volume III Amendment to PO40033 Statistical Tables		Expect to offer
PX0158		PMA Volume IV Data Listings 1 of 3		Expect to offer
PX0159		PMA Volume V Data Listings 4 to 6		Expect to offer
PX0160		PMA Volume VI Data Listings 7.1		Expect to offer
PX0161		PMA volume VII Data Listings 7.2		Expect to offer
PX0162		PMA Volume VIII Data Listings 7.3		Expect to offer
PX0163		PMA Volume IX Data Listings 8 to 13		Expect to offer
PX0164		PMA Amendment to P040033 Part 1		Expect to offer
PX0165		PMA Amendment to P040033 Part 2		Expect to offer
PX0166		PMA Amendment #6 to P040033		Expect to offer
PX0167		PMA Amendment		Expect to offer
PX0168		Amendment to PMA P040033		Expect to offer
PX0169		S&N Powerpoint on Quarterly Quality Management Review, Action items, & Audits by Kerry Turner (QA Management Representative)		Expect to offer
PX0170		Email from Wolfgang Siebels to Dave Telling re: R3 Metal Liner RE: Warwick FDA Readiness		Expect to offer
PX0171		S&N PPT on ASD Quality Europe, FDA Inspection Success Project, & FDA PMA Supplement Inspection (Weekly F/U- Week 25)		Expect to offer
PX0172		S&N PPT on ASD Quality Europe, FDA Inspection Success Project, & FDA PMA Supplement Inspection (Weekly F/U - Week 24)		Expect to offer
PX0173		S&N PPT on ASD Quality Europe, FDA Inspection Success Project, & FDA PMA Supplement Inspection (Weekly F/U - Week 23)		Expect to offer
PX0174		Email from Debbie Phillips to Tim Band re: Invite to BHR Masters		Expect to offer
PX0175		Email from Sarah Freestone to Andy Weymann re Late MDRs August 2016		Expect to offer
PX0176		Email from Mike Allcott to Bill Aubrey re AU 270 with attached Audit Report AU 270 Customer Complaints		Expect to offer
PX0177		Email from Dave Telling to Roger Ashton re: FDA Audit Closure Mtg		Expect to offer
PX0178		Document on teleconference details between organizer Gino Rouss and attendees Dave Telling, Tim Band, Terrance Smith, Sean Cranston, Theresa Leister, John Connor re: BHR ad hoc data request AJJR		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0179		Email from Kim Bertagnolli to Telling, McBroom, Shelton, Band re: Warwick-Internal Audit Closing Meeting		Expect to offer
PX0180		Email From Gino Rouss to Lindsay Cummings re: FDA Approval- Revised BHR Surgical Technique		Expect to offer
PX0181		Email from Balir Fraser to Candi Langmaid re: BHR 10 year Data		Expect to offer
PX0182		Email from James Huckle to Weymann and Fraser re: BHR SERB 27-11-13		Expect to offer
PX0183		Email from Andy Weymann to David Appleby re: Unified HHE Process		Expect to offer
PX0184		Email from Sean Cranston to Gino Rouss and Dave Telling re: BHR ad hoc data request AJJR		Expect to offer
PX0185		Email from Peter Heeckt to Tim Band re:Ad Hoc Report BHR Mod Head Jan12Results_820		Expect to offer
PX0186		Email from Catherine Dunbar to Luca Orlandini re: Registry data and its use		Expect to offer
PX0187		Use of Registry Data		Expect to offer
PX0188		"Purpose"		Expect to offer
PX0189		Email from Marcos Velez-Duran to Blair Fraser re: Reason for Revision BHR Resurfacing Cup		Expect to offer
PX0190		Hip Franchise Development Deep Dive BHR&BMHR-Advanced Bearing Systems		Expect to offer
PX0191		Letter from Smith & Nephew: Letter to National Joint Registry about collecting data		Expect to offer
PX0192		Letter from Smith & Nephew: Letter to National Joint Registry about collecting data		Expect to offer
PX0193		BHR-The Effect of Size and Gender		Expect to offer
PX0194		Apples to Oranges Document		Expect to offer
PX0195		Post-Market Surveillance and Regulatory Status of BHR		Expect to offer
PX0196		E-mail attaching Dr. Kopjar's first report		Expect to offer
PX0197		ii4sm Report		Expect to offer
PX0198		CAPA Summary		Expect to offer
PX0199		Birmingham Hip Resurfacing System Important Medical Information, Warnings and Precautions		Expect to offer
PX0200		BHR System 48-Month PMA Annual Report (Quality/Development)		Expect to offer
PX0201		Smith & Nephew PPT: Hip Recovery Plan MoM; ABS Products in Early Intervention Hips; Currently all Metal on Metal bearings		Expect to offer
PX0202		Smith & Nephew PPT: SNO Active Hips MoM Warwick; BHR Features		Expect to offer
PX0203		Email from Jason Jones to multiple recipients re: FDA questions regarding the final report for the BHR UK Post Approval Study		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0204		Amendment to P040033 attn: John Goode, Scientific Reviewer		Expect to offer
PX0205		BHR System 2014 Annual Report		Expect to offer
PX0206		BHR P040033 2015 PMA Annual Report		Expect to offer
PX0207		Letter to USDA re: PMA Annual Report		Expect to offer
PX0208		Smith & Nephew PPT: SNO Active Hips MoM Warwick; BHR Features		Expect to offer
PX0209		Smith & Nephew PPT: BHR Clinical Evidence by Blair Fraser, VP, Scientific Affairs		Expect to offer
PX0210		Document by Smith & Nephew on Primary Total Resurfacing Hip Replacement		Expect to offer
PX0211		BHR Post Approval Study (US) Version 4		Expect to offer
PX0212		S&N Document on interview with Phillip Emmert and the Medical Device Reporting Process		Expect to offer
PX0213		S&N Document on interview with Andy Hardison and the Medical Device Reporting Process		Expect to offer
PX0214		S&N Document on interview with Carolyn Shelton and the Medical Device Reporting Process		Expect to offer
PX0215		S&N Document on interview with Jason Jones and the Medical Device Reporting Process		Expect to offer
PX0216		S&N Document on interview with Scott Elliott and the Medical Device Reporting Process		Expect to offer
PX0217		S&N Document on interview with Terri Chenault and the Medical Device Reporting Process		Expect to offer
PX0218		Email from Tim Band to Roger Ashton and multiple recipients re: Ox on Ox	Yes; Incomplete	Expect to offer
PX0219		S&N PPT by Michael Cooper on Onboarding BR1 titled "DH Hard/Hard and Hard/Soft Bearing Project" (61 pages)		Expect to offer
PX0220		Email from John Clausen to Tim Band re: Ox on Ox includes DH BR1 OES.PPT		Expect to offer
PX0221		S&N PPT by Michael Cooper on Onboarding BR1 titled "DH Hard/Hard and Hard/Soft Bearing Project" (61 pages)		Expect to offer
PX0222		Email from Terrance Smith to Tim Band re: CoM BR 01 March 2010.ppt (High Importance)		Expect to offer
PX0223		Email from Pilar Mena to Time Band & Terrance Smith re: CoM BR 01 March 2010.ppt (Hight Importance)		Expect to offer
PX0224		S&N PPT titled "Ceramic on Metal (OUS) - CR1" by Tim Band, Roger Ashton, & Terrance Smith		Expect to offer
PX0225		S&N PPT titled "OES Business Review DEFCOM - BR2"		Expect to offer
PX0226		S&N PPT on BHR Performance, Sales, Strategies, Project Proposal, & Project Scope		Expect to offer
PX0227		S&N PPT titled "Internal Business Review Template" Ceramic on Ceramic by Pilar Ubierna-Mena		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0228		Email from Deirdre Kraimer to John Connor, Carolyn Shelton, Andy Weymann, Amit Parikh, Vivek Pawar, Dawn McLean, & Jeff Sprague re: FDA Meeting Minutes Review	Yes; Incomplete (also PXN Sticker is incorrect)	Expect to offer
PX0229		Email from Rachel Parkin & Amir Kamali re: defcom clinical equivalence		Expect to offer
PX0230		S&N Document titled "Clinical Date: Critical Evaluation of Relevant Scientific Literature (To address the requirements of Annex X of Directive 93/42/EEC)"		Expect to offer
PX0231		Email from Peter Heeckt to Cheryl Cobb, Blair Fraser, & Andy Weymann re: FW: Strategic Plan		Expect to offer
PX0232		S&N PPT titled "Smith & Nephew: One Company 2008 Strategic Plan-Orthopaedic 2009 to 2013 Strategic Plan"		Expect to offer
PX0233		Email from Nikki Tidesley to Paul Pynsent re: McMinn Database		Expect to offer
PX0234		Email from Alison Sinclair to Staff: "please see recorded comments regarding Deep Dive Review	Yes; Incomplete	Expect to offer
PX0235		Email from Steve Bigus to Mark Waugh; John Soto: Q4 2009 Portfolio review v4.ppt	Yes; Incomplete	Expect to offer
PX0236		Email from Tim Band to Pilar Mena re DefCom	Yes; Incomplete	Expect to offer
PX0237		Email from Amir Kamali to Derek McMinn re: New BHR Cup Idea		Expect to offer
PX0238		ii4sm interview notes		Expect to offer
PX0239		Smith & Nephew Birmingham Hip Resurfacing Doc: Competitive Hip Resurfacing Products Comparison Guide		Expect to offer
PX0240		PPT: BHR Australian Registry Update; AOA National Joint Replacement Registry 2010		Expect to offer
PX0241		Document with charts on Yearly Cumulative Percent Revision of Total Resurfacing Hip Replacement and Revision Rates		Expect to offer
PX0242		Smith & Nephew Document "Metal on Metal Primary Total Conventional Hip Replacement (using the BHR/R3 Combination)"		Expect to offer
PX0243		Smith & Nephew Document "Metal on Metal Primary Total Conventional Hip Replacement"	Yes; Incomplete	Expect to offer
PX0244		Pamphlet with charts titled "Project CHARM- Complaints Handling And Risk Management at Smith & Nephew"		Expect to offer
PX0245		Evaluation of the Leadership of Strategic Change in Msith & Nephew Amir Kamali		Expect to offer
PX0246		Capital Expenditure Authorisation Control Sheet		Expect to offer
PX0247		ODH Testing and IDE Submission Content		Expect to offer
PX0248		Email from Hgary Lynch to Les Sprinkle re: Interim Update from Complaints Process Evaluation		Expect to offer
PX0249		Email From Heeckt, Peeter To Shelton, Carolyn - BHR ad hoc request AJJR (Smaller heas sizes show worse results)		Expect to offer
PX0250		Email from John rEabe to Carolyn Shelton re: BHR aad hoc data request AJJR		Expect to offer
PX0251		E-mail string Subject: NJRR Data Request 858	Yes; Incomplete	Expect to offer
PX0252		PMA application for BHR Appendix B Volume 1 of 1		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0253		Amendment to P040033 attn: John Goode, Scientific Reviewer		Expect to offer
PX0254		Volume II Amendment to P040033 SN BHR Response to Questions 34 to 46		Expect to offer
PX0255		BHR System Amendment to PMA P040033		Expect to offer
PX0256		Document by Smith & Nephew on BHR Resurfacing Heads & Primary Total Resurfacing Hip Replacement charts		Expect to offer
PX0257		Document by Smith & Nephew titled "Take the Gloves Off: Special Edition- Wright Medical Conserve Plus"		Expect to offer
PX0258		Email from Tim Band to Mark Tompkins, Mollie Mosby, Graham Hardcastle, and Brandon Windham re: Info Requested on Estimated Investment Cost of BHR / BMHR Product Lines	Yes; Incomplete	Expect to offer
PX0259		What the countries didn't know! S&N PPT Annual Report 2009 on Hip and Knee Athroplasty; Charts on Size & Gender vs Revision by head size		Expect to offer
PX0260		Email from Andy Weymann re: NJRR ad hoc Request		Expect to offer
PX0261		Email from Jason Jones to multiple recipients re: Birmingham Hip Resurfacing System Position Paper	Yes; Incomplete	Expect to offer
PX0262		Document titled: "Take the Gloves Off: Special Edition - Wright Medical CONSERVE PLUS;"		Expect to offer
PX0263		Take The Gloves Off Brochure		Expect to offer
PX0264		30 Day Notice BHR PMA P040033		Expect to offer
PX0265		PMA P040033 Special Pma supplement Post-Approval Study Labeling Update		Expect to offer
PX0266		BHR System Special PMA Supplement- Changes Being Effectuated		Expect to offer
PX0267		S&N PPT on BHR > IFU Changes (SERB - Dec 3, 2013)		Expect to offer
PX0268		Post-Approval Study Report		Expect to offer
PX0269		2012 E-mail string, various dates	Yes; Incomplete	Expect to offer
PX0270		Email from Tim Band: Clinical Indications Dollar Amounts		Expect to offer
PX0271		Email from Russell Walter to Mark Waugh Update COO1		Expect to offer
PX0272		Email from Mark Waugh to Tim Band re: BHR Discussion, Attachments Update COO2 resurfacing		Expect to offer
PX0273		Email from Mark Waugh to Tim Band and Russell Walter re: BHR Discussion Update COO2 resurfacing		Expect to offer
PX0274		Email from John Soto to Mark Waugh, Michael Turner, David Kelman, Tom Troup, John Clausen Franchise Presentation		Expect to offer
PX0275		Email from Chris Moore to Christy Thiel re: Australian Registry Query- BHR Data		Expect to offer
PX0276		Email from Chris Moore to Peter Heeckt re: Australian Registry Query- BHR Data	Yes; Incomplete	Expect to offer
PX0277		Email from Ann Cash to Mark Waughre: Aust Reg final Pieces thus far		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0278		Dear Sales Team Member letter		Expect to offer
PX0279		Email from Christy Thiel to Ann Tomkins re: Request to share BHR data		Expect to offer
PX0280		Email from Mark Waugh to Derek McMinn re Surgeon AUS registry data cover letter and Australian Registry Results 2007		Expect to offer
PX0281		Email from Mark Waugh to Justin Bussler re: BHR Registry Mailing- final PDFs		Expect to offer
PX0282		Email from Mark Waugh to Andrew Burns, et al. re: AUS Registry surgeon mailer letter		Expect to offer
PX0283		Email from Mark Waugh to Ann Burrow re:Direct Mail BHR postcard attaching Surgeon AUS registry data cover letter		Expect to offer
PX0284		Email from Mark Waugh to Rob Cripe and Andrew Holman re: BHR Mailing budget		Expect to offer
PX0285		2007 a Patients Guide		Expect to offer
PX0286		Where is the resurfacing market headed?		Expect to offer
PX0287		Milk the cash cow		Expect to offer
PX0288		Email from Tim Band to Hannah Longbottom re: Question from a shareholder		Expect to offer
PX0289		Email from Tim Band to Paul Just re: NICE submission 2001		Expect to offer
PX0290		Email from Paul Just to Dave Telling re: NICE Submission 2001		Expect to offer
PX0291		Email from Dave Telling to Tim Band re: NICE Submission 2001		Expect to offer
PX0292		Email from Peter Heeckt to Wolfgang Siebels re: Metal on Metal - WG		Expect to offer
PX0293		Email from Christy Thiel to Tom Pynsent and Chris Moore re: Latest Australian Ad hoc report		Expect to offer
PX0294		BHR Update email to Dr. Boucher		Expect to offer
PX0295		Email from Mark Waugh to Terrance Smith, Tim Bourne, Steve Miller, and Rob Cripe re: BHR Mailing pieces- updated	Yes; Incomplete	Expect to offer
PX0296		Email from Damon Mogridge to Sharat Kusuma re: Help with BHR slides?	Yes; Incomplete	Expect to offer
PX0297		Email from Peter Heeckt to Chris Moore re: Australian Registry Query- BHR Data		Expect to offer
PX0298		Email from Mark Waugh to Damon Mogridge and Lianne Bogan re: BHR Registry Mailing- final PDFs		Expect to offer
PX0299		Email from Christy Thiel to Ann Tomkins re: Request to share BHR data	Yes; Incomplete	Expect to offer
PX0300		Email from Chris Moore to Christy Thiel re: Australian Registry Query- BHR Data		Expect to offer
PX0301		Australian Registry Annual Report 2001	Yes; Not Produced (Missing Bates)	Expect to offer
PX0302		Australian Registry Annual Report 2002	Yes; Not Produced (Missing Bates)	Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX0303		Australian Registry Annual Report 2003	Yes; Not Produced (Missing Bates)	Expect to offer
PX0304		Australian Registry Annual Report 2004	Yes; Not Produced (Missing Bates)	Expect to offer
PX0305		Australian Registry Annual Report 2005	Yes; Not Produced (Missing Bates)	Expect to offer
PX0306		Australian Registry Annual Report 2006	Yes; Not Produced (Missing Bates)	Expect to offer
PX0307		Australian Registry Annual Report 2007	Yes; Not Produced (Missing Bates)	Expect to offer
PX0308		Australian Registry Annual Report 2008	Yes; Not Produced (Missing Bates)	Expect to offer
PX0309		Australian Registry Annual Report 2009	Yes; Not Produced (Missing Bates)	Expect to offer
PX0310		Australian Registry Annual Report 2010	Yes; Not Produced (Missing Bates)	Expect to offer
PX0311		Australian Registry Annual Report 2011	Yes; Not Produced (Missing Bates)	Expect to offer
PX0312		Australian Registry Annual Report 2012	Yes; Not Produced (Missing Bates)	Expect to offer
PX0313		Australian Registry Annual Report 2013	Yes; Not Produced (Missing Bates)	Expect to offer
PX0314		Australian Registry Annual Report 2014	Yes; Not Produced (Missing Bates)	Expect to offer
PX0315		Australian Registry Annual Report 2015	Yes; Not Produced (Missing Bates)	Expect to offer
PX2000		Deposition of Henry Boucher, MD		Expect to offer
PX2000_001		NOD of Henry Boucher, MD		Expect to offer
PX2000_002		Henry Boucher, MD CV		Expect to offer
PX2000_003		BHR handwritten notes		Expect to offer
PX2000_004		Urgent- Medical Device Market Removal 1st notification	Yes; Not Produced (Missing Bates)	Expect to offer
PX2000_005		email chain from Boucher personal email to Boucher work email	Yes; Not Produced (Missing Bates)	Expect to offer
PX2000_006		In Office Meeting Invoice for Stephen Steinwandt		Expect to offer
PX2000_007		Phyliss Mosca conference call notes	Yes; Compilation, Annotations, Not Produced (Missing Bates)	Expect to offer
PX2000_008		Jenner Law letter re Mosca Disclosure of Ex Parte Contacts with Treating Physician		Expect to offer
PX2000_009		Indications for Hip Resurfacing		Expect to offer
PX2000_010		BHR 10th Anniversary Meeting Miami		Expect to offer
PX2000_011		Femoral Neck Fracturein Hip Resurfacing Dr Simon F Journeaux Miami Presentation		Expect to offer
PX2000_012		3rd Annual Hip Joint Preservation and Hip Resurfacing course synopsis		Expect to offer
PX2000_013		Article from the journal of Bone & Joint surgery		Expect to offer
PX2000_014		early clinical failure of the Birmingham metal-on-metal hip resurfacing is associated with metallosis and soft-tissue necrosis	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2000_015		Phyliss Mosca orthopaedic note		Expect to offer
PX2000_016		BHR Important Medical Information Warnings and Precautions		Expect to offer
PX2000_018		GBMC Phyliss Mosca office note		Expect to offer
PX2000_019		Phyliss Mosca off note MedStar		Expect to offer
PX2000_020		Mosca- LabCorp		Expect to offer
PX2000_021		Fourth Amended Defendant Fact Sheet Mosca		Expect to offer
PX2000_022		Australian Registry Resurfacing Results 2007		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2000_023		email from Damon Mogridge		Expect to offer
PX2000_024		Request 408		Expect to offer
PX2000_025		Ref: Orthopaedic update		Expect to offer
PX2000_026		Protective Order	Yes; Not Produced (Missing Bates), Compilation	Expect to offer
PX2001		Deposition of Henry Boucher, MD		Expect to offer
PX2001_001		Deposition Transcript of Henry Boucher, M.D., 2/7/2020		Expect to offer
PX2001_002		Notice of Deposition		Expect to offer
PX2001_003		2/3/2020 Letter		Expect to offer
PX2001_004		6/2/2020 Letter		Expect to offer
PX2001_005		Request 408		Expect to offer
PX2001_006		Third Annual Hip Joint Preservation and Hip Resurfacing Course Synopsis		Expect to offer
PX2001_007		Annual Report, 2009, AOA	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2001_008		Third Annual Hip Resurfacing Course Overview, September 2009	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2001_009		1/17/2005 Operative Report		Expect to offer
PX2001_010		Doctor's Note for Stephan Steinwandt		Expect to offer
PX2001_011		Questionnaire		Expect to offer
PX2001_012		12/1/2010 Preop Clearance Note		Expect to offer
PX2001_013		Informed Consent and Authorization for Orthopedic Joint Surgery		Expect to offer
PX2001_014		Smith & Nephew IFU	Yes; Not Produced (Missing Bates)	Expect to offer
PX2001_015		12/14/2010 Operative Report		Expect to offer
PX2001_016		Discharge Summary		Expect to offer
PX2001_017		Index Discharge Instructions		Expect to offer
PX2001_018		E-mail String	Yes; Incomplete	Expect to offer
PX2001_019		11/4/2010 Letter		Expect to offer
PX2001_020		E-mail Thread		Expect to offer
PX2001_021		E-mail Thread	Yes; Incomplete	Expect to offer
PX2002		Deposition of Henry Boucher, MD 7/24/2020		Expect to offer
PX2002_001		Operative Report		Expect to offer
PX2002_002		Tildesley E-mail	Yes; Incomplete	Expect to offer
PX2002_003		MedStar Union Memorial Records		Expect to offer
PX2002_004		History and Physical		Expect to offer
PX2002_005		BHR Informed Consent		Expect to offer
PX2003		Deposition of Henry Boucher, MD 8/7/20		Expect to offer
PX2003_001		Franklin Square Hospital Center Aubrey Sedgwick Medical records	Yes; Compilation, Annotations	Expect to offer
PX2004		Deposition of Marty Kuser, MD		Expect to offer
PX2004_001		NOD of Marty Kuser, MD		Expect to offer
PX2004_002		M. Kuser Resume		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2004_003		November 2008 email string		Expect to offer
PX2004_004		Walter Russell 10-28-08 email		Expect to offer
PX2004_005		10-2009 email		Expect to offer
PX2004_006		Powerpoint slide	Yes; Incomplete	Expect to offer
PX2004_007		A. Homan email- BH Boost Plan 2008		Expect to offer
PX2004_008		Smith & Nephew Turning the Tide		Expect to offer
PX2004_009		Smith & Nephew Adverse Event Policy Module		Expect to offer
PX2004_010		D. Quirk Complaint Details Report		Expect to offer
PX2004_011		J. Maquire Complaint Details Report		Expect to offer
PX2004_012		Surgical technique Brochure 1-07		Expect to offer
PX2004_013		Important Medical Information 12-09		Expect to offer
PX2004_014		Surgical Technique Brochure 10-10		Expect to offer
PX2005		Deposition of Terrance "Terry" Powers		Expect to offer
PX2005_001		Successful Outcomes with hip resurfacing		Expect to offer
PX2005_002		Take the Gloves off: Special Edition		Expect to offer
PX2005_003		Take the Gloves off- DePuy		Expect to offer
PX2005_004		Take the Gloves off- Stryker		Expect to offer
PX2005_005		Take the Gloves off- Biomet		Expect to offer
PX2005_006		The effect of acetabular component design and orientation		Expect to offer
PX2005_007		Welcome to Product Complaint Reporting Policy Module		Expect to offer
PX2005_008		2010 BHR Marketing Plan; There is only one BHR!		Expect to offer
PX2005_009		Dear Doctor letter attaching 2007 Registry Data		Expect to offer
PX2005_010		Dear Doctor Letter 2009		Expect to offer
PX2005_011		Dear Doctor Letter 2011		Expect to offer
PX2005_012		BHR Brochure 1/2011		Expect to offer
PX2005_013		Dear Doctor Letter		Expect to offer
PX2005_014		Dear JBJS Reader: Not your average Metal on Metal		Expect to offer
PX2005_015		Surgical Technique		Expect to offer
PX2005_016		BHR Component Invoice		Expect to offer
PX2006		Deposition of Stephanie Pritchard		Expect to offer
PX2007		Deposition of Audra Kristiansen		Expect to offer
PX2008		Deposition of Mary Craig-Buckholtz		Expect to offer
PX2008_001		Craig-Buckholtz CV; Depo Exhibit 1		Expect to offer
PX2008_002		Mosca records 115 pages; Depo Exhibit 2		Expect to offer
PX2008_003		Mosca records 48 pages; Depo Exhibit 3		Expect to offer
PX2009		Deposition of Dr. Ariane Cometa		Expect to offer
PX2009_001		Dr. Ariane Cometa CV; Depo Exhibit 1		Expect to offer
PX2009_002		Phyliss Mosca Medical Records; Depo Exhibit 2		Expect to offer
PX2010		Deposition of Dr. Corina Fratila		Expect to offer
PX2010_001		CV of Dr. Corina Fratila; Depo Exhibit 1		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2010_002		Phyliss Mosca Medical Records; Depo Exhibit 2		Expect to offer
PX2010_003		Bay West Endocrinology Records; Depo Exhibit 3		Expect to offer
PX2011		Deposition of Terry Pritt		Expect to offer
PX2011_001		CV of Terry Pritt; Depo Exhibit 1		Expect to offer
PX2011_002		Phyliss Mosca Medical Records; Depo Exhibit 2		Expect to offer
PX2012		Deposition of Richard Levine, MD		Expect to offer
PX2012_001		CV of Richard Levine, MD		Expect to offer
PX2012_002		Medical Records from Dr. Levine 2012; Depo Exhibit 2		Expect to offer
PX2012_003		Medical Records from Dr. Levine 2018; Depo Exhibit 3		Expect to offer
PX2012_004		Phyliss Mosca Arthroscopy Report; Depo Exhibit 4		Expect to offer
PX2012_005		Mosca Medstar Orthopedics Records; Depo Exhibit 5		Expect to offer
PX2013		Deposition of Jeffrey Shapiro		Expect to offer
PX2013_001		Jeffrey Shapiro, MD Notice of Deposition		Expect to offer
PX2013_002		Jeffrey Shapiro Summary		Expect to offer
PX2013_003		Jeffrey Shapiro Expert Report		Expect to offer
PX2013_004		Jeffrey Shapiro CV		Expect to offer
PX2013_005		Jeffrey Shapiro References		Expect to offer
PX2013_006		Jeffrey Shapiro Deposition and Trial Testimony		Expect to offer
PX2013_006A		Exhibit 6-A Updated deposition trial testimony history		Expect to offer
PX2013_007		Two page invoice from Jeffrey Shapiro, MD		Expect to offer
PX2013_008		Shapiro Exhibit 8 Jeffrey Shapiro M.D. Health Grades website	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2013_009		EXHIBIT 9 (not marked)		Expect to offer
PX2013_010		Exhibit 10 Hip table 47		Expect to offer
PX2013_011		Exhibit 11 Attachment		Expect to offer
PX2013_012		Letter re Orthopedic Update		Expect to offer
PX2013_013		Article: Psuedotumours associated with Metal on metal hip resurfacings		Expect to offer
PX2014		Deposition of Jeffrey Shapiro 1/20/2021 Volume 1		Expect to offer
PX2014_001		Notice of Deposition of Jeffrey Shapiro		Expect to offer
PX2014_002		Operative Report		Expect to offer
PX2014_004		Dr. Shapiro's expert report		Expect to offer
PX2014_005		Dr. Shapiro's notes		Expect to offer
PX2015		Deposition of Jeffrey Shapiro 1/26/2021		Expect to offer
PX2015_001		Third Amended Notice of Remote Deposition of Jeffrey Shapiro, M.D.		Expect to offer
PX2015_002		Expert report of Jeffrey Shapiro, MD		Expect to offer
PX2015_003		Jeffrey Shapiro, List of Materials reviewed for this litigation: Paula Redick		Expect to offer
PX2016		Deposition of Jeffrey Shapiro 2/3/2021 Volume 2		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2016_001		Third Amended Notice of Remote Deposition of Jeffrey Shapiro, M.D.		Expect to offer
PX2016_002		Memorandum Opinion in Biomet Orthopedics		Expect to offer
PX2016_003		Henry Boucher, MD Orthopaedic note for Phyliss Mosca		Expect to offer
PX2017		Deposition of Aaron James Volume 1		Expect to offer
PX2017_001		Amended Notice of Deposition		Expect to offer
PX2017_002		Curriculum Vitae		Expect to offer
PX2017_003		Medical-Legal Curriculum Vitae		Expect to offer
PX2017_004		Albritton Invoice		Expect to offer
PX2017_005		Screenshot of Slides		Expect to offer
PX2017_006		8/25/2020 Inventory		Expect to offer
PX2017_007		12/2/20 Notes	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2017_008		12/3/20 Albritton Report		Expect to offer
PX2017_009		1/13/2020 Notes	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2017_010		Mosca Invoice		Expect to offer
PX2017_011		Photograph of Slides		Expect to offer
PX2017_012		2/12/20 Notes	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2017_013		12/3/20 Mosca Report		Expect to offer
PX2017_014		1/13/21 Mosca Notes	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2017_015		12/3/21 Sedgwick Invoice		Expect to offer
PX2017_016		Photograph of Slides		Expect to offer
PX2017_017		Sedgwick Surgical Pathology Report		Expect to offer
PX2017_018		12/2/20 Sedgwick Notes	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2017_019		12/4/20 Sedgwick Report		Expect to offer
PX2017_020		1/13/21 Sedgwick	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2018		Deposition of Aaron James Volume 2		Expect to offer
PX2018_001		Amended Notice of Deposition		Expect to offer
PX2018_002		Sedgwick File PDF		Expect to offer
PX2018_003		1/25/2021 Production Document	Yes; Not Produced (Missing Bates), Annotations, Compilation	Expect to offer
PX2019		Deposition of Marc Hungerford, MD		Expect to offer
PX2019_001		Ad Hoc Report		Expect to offer
PX2019_002		Ad Hoc Report 25		Expect to offer
PX2019_003		Objections and Responses to the NOD		Expect to offer
PX2019_004		Invoices		Expect to offer
PX2019_005		Exhibit 2 to Expert Report		Expect to offer
PX2019_006		Powerpoint on THA		Expect to offer
PX2019_007		2009 Presentation		Expect to offer
PX2019_008		2009 Ad Hoc 425		Expect to offer
PX2019_009		Australian Registry Analysis		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2019_010		Ad Hoc 405		Expect to offer
PX2019_011		Powerpoint Presentation		Expect to offer
PX2019_012		Letter to the FDA		Expect to offer
PX2020		Deposition of Marc Hungerford, MD		Expect to offer
PX2020_001		Expert Report of Marc Hungerford, MD		Expect to offer
PX2020_002		Objections and Responses to Notice to take remote videotaped Deposition of Marc Hungerford, MD		Expect to offer
PX2020_003		Supplemental List		Expect to offer
PX2020_004		Cocaine as possible causes of osteonecrosis		Expect to offer
PX2020_005		osteonecrosis following alcohol, cocaine and steroid use		Expect to offer
PX2020_006		Simultaneous Bilateral Avascular Necrosis of the femoral heads associated with cocaine use		Expect to offer
PX2021		Deposition of Edward McCarthy		Expect to offer
PX2021_001		McCarthy Report re: William Albritton		Expect to offer
PX2021_002		McCarthy Report re: Phyliss Mosca		Expect to offer
PX2021_003		McCarthy Report re: Aubrey Sedgwick		Expect to offer
PX2022		Deposition of Naseem Amin		Expect to offer
PX2022_001		Email from Debbie Phillips to Tim Band re: Invite to BHR Masters		Expect to offer
PX2022_002		PMA approval letter	Yes; Not Produced (Missing Bates)	Expect to offer
PX2022_003		E-mail chain	Yes; Annotations	Expect to offer
PX2022_004		E-mail attaching Australian Registry data		Expect to offer
PX2022_005		Internal Ad Hoc Discussion from Damon Mogridge; AOA Ad Hoc Internal Discussion		Expect to offer
PX2022_006		E-mail attaching Australian Registry data		Expect to offer
PX2022_007		E-mail chain	Yes; Incomplete	Expect to offer
PX2022_008		E-mail chain		Expect to offer
PX2022_009		E-mail chain	Yes; Incomplete	Expect to offer
PX2022_010		E-mail attaching report SN_BHR_MDL_0789282 through SN_BHR_MDL_0789287		Expect to offer
PX2022_011		E-mail chain	Yes; Incomplete	Expect to offer
PX2022_012		E-mail and Cleveland Clinic presentation		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2022_013		2010 BHR label	Yes; Annotations	Expect to offer
PX2022_014		E-mail	Yes; Incomplete	Expect to offer
PX2022_015		E-mail attaching Dr. Kopjar's first report		Expect to offer
PX2022_016		2014 Clinical HHE	Yes; Incomplete	Expect to offer
PX2022_017		2015 Clinical HHE		Expect to offer
PX2022_018		May 6, 2013 BHR annual report	Yes; Incomplete	Expect to offer
PX2022_019		Email 3/28/12 Wilkinson-Medical Device Safety Project	Yes; Incomplete	Expect to offer
PX2022_020		ii4sm Report		Expect to offer
PX2022_021		Medical Device Reporting and Safety Requirements Analysis and Global Diagnostic		Expect to offer
PX2022_022		Summary of Safety and Effectiveness Data	Yes; Annotations, Not Produced (Missing Bates)	Expect to offer
PX2022_023		Notes of ii4sm interview with Peter Heeckt		Expect to offer
PX2023		Deposition of Tim Band		Expect to offer
PX2023_001		July 16, 2004 Premarket Approval Application	Yes; Incomplete, Not Produced (Missing Bates)	Expect to offer
PX2023_002		Letter from Wright Medical to FDA, October 29, 2005	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2023_003		Final Post-Approval Study Report SN_BHR_MDL_123788 through SN_BHR_MDL_123845	Yes; Incomplete	Expect to offer
PX2023_004		April 29, 2005 submission to FDA	Yes; Incomplete, Not Produced (Missing Bates)	Expect to offer
PX2023_005		Letter to Mr. Velez-Duran from M Squared	Yes; Not Produced (Missing Bates)	Expect to offer
PX2023_006		McMinn Center - Site Audit and Training Report	Yes; Not Produced (Missing Bates)	Expect to offer
PX2023_007		E-mail chain SN_BHR_MDL_384358 through SN_BHR_MDL_384362		Expect to offer
PX2023_008		M Squared Response to FDA queries	Yes; Not Produced (Missing Bates)	Expect to offer
PX2023_009		E-mail chain SN_BHR_MDL_158933 through SN_BHR_MDL_158942		Expect to offer
PX2023_010		European Reconstruction SBU	Yes; Incomplete	Expect to offer
PX2023_011		PowerPoint slide deck		Expect to offer
PX2023_012		PowerPoint slide deck 2	Yes; Incomplete, Compilation	Expect to offer
PX2023_013		ii4SM report SN_BHR_MDL_457189 through SN_BHR_MDL_457288		Expect to offer
PX2023_014		ii4SM report SN_BHR_MDL_457289 through SN_BHR_MDL_457299		Expect to offer
PX2023_015		FDA letter to Marcos Velez-Duran, May 9, 2006	Yes; Not Produced (Missing Bates)	Expect to offer
PX2023_016		HHE May 2015 SN_BHR_MDL_76584 through SN_BHR_MDL_76648		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2023_017		E-mail chain Kopjar_BHR_MDL_3960 through Kopjar_BHR_MDL_3961		Expect to offer
PX2023_018		Kopjar Statistical Analysis Report SN_BHR_MDL_246720 through SN_BHR_MDL_246845		Expect to offer
PX2023_019		E-mail chain SN_BHR_MDL_747070	Yes; Incomplete	Expect to offer
PX2023_020		E-mail and PowerPoint deck		Expect to offer
PX2023_021		Kopjar Statistical Analysis Report	Yes; Incomplete, Not Produced (Missing Bates)	Expect to offer
PX2023_022		How to sell the BHR slides		Expect to offer
PX2023_023		Project X Concept review		Expect to offer
PX2023_024		Letter to Dr. Hozack		Expect to offer
PX2023_025		Why are we here today? slides		Expect to offer
PX2024		Deposition of Blair Fraser		Expect to offer
PX2024_001		PowerPoint BHR PMA Update, March 17, 2005	Yes; Not Produced (Missing Bates)	Expect to offer
PX2024_002		October 29, 2005, correspondence between Wright Medical and the FDA	Yes; Not Produced (Missing Bates); Annotations	Expect to offer
PX2024_003		Email correspondence produced by Smith & Nephew with a Bates label beginning BHR_MDL_0158933		Expect to offer
PX2024_004		2007 marketing brochure for the BHR product	Yes; Incomplete	Expect to offer
PX2024_005		May 9, 2006, letter from the FDA to Smith & Nephew FDA conditional approval letter	Yes; Not Produced (Missing Bates); Annotations	Expect to offer
PX2024_006		Birmingham Hip Resurfacing System Final United Kingdom Post-Approval Study Report	Yes; Incomplete	Expect to offer
PX2024_007		Composite Exhibit C-4-6 Survivorship Data and Table 28: Subgroup Analysis for Revisions for Gender, Age and Hip Group	Yes; Not Produced (Missing Bates), Incomplete, Compilation	Expect to offer
PX2024_008		July 2004 Initial PMA Application	Yes; Incomplete, Not Produced (Missing Bates)	Expect to offer
PX2024_009		Email String BHR_MDL_0123915		Expect to offer
PX2024_010		Composite Exhibit C-4-6-22 Survivorship Data, Table 28: Subgroup Analysis For Revisions for Gender, Age and Hip Group, and Table 16: Survival by Gender	Yes; Not Produced (Missing Bates), Incomplete, Compilation	Expect to offer
PX2024_011		Document entitled "Take the Gloves Off - DePuy, Knock out your hip competition"		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2024_012		Email from Peter Heeckt to Carolyn Shelton dated 11/19/10 BHR_MDL_0959820-0959830		Expect to offer
PX2024_013		Composite Exhibit C-9-10 2008 Australian Registry and Figure HT37: Cumulative Percent Revision of BHR Primary Total Resurfacing Hip Replacement by Gender	Yes; Not Produced (Missing Bates), Incomplete, Compilation	Expect to offer
PX2024_014		Dear Doctor Letter		Expect to offer
PX2024_015		Medical Device Reporting and Safety Requirements Analysis and Global Diagnostic		Expect to offer
PX2024_016		Composite Exhibit C-5-12 Promise No. 4	Yes; Not Produced (Missing Bates), Incomplete, Compilation	Expect to offer
PX2024_017		Femoral Neck Fracture in Hip Resurfacing		Expect to offer
PX2024_018		Brochure, Birmingham Hip Resurfacing System	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2024_019		Email from John Soto to Michael Frazzette dated 1/31/12	Yes; Incomplete	Expect to offer
PX2024_020		Edited Transcript SN.L - Q4 and Full Year 2011 Smith and Nephew PLC Earnings Conference Call	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2024_021		Excerpt from the European Reconstruction SBU/Advanced Surgical Devices QBR 24th January 2013	Yes; Incomplete; Compilation	Expect to offer
PX2024_022		BHR_MDL_0551053-0551088	Yes; Incomplete	Expect to offer
PX2024_023		PowerPoint Presentation BHR_MDL_0370134-0370161		Expect to offer
PX2024_024		Composite chart (two pages)	Yes; Not Produced (Missing Bates), Incomplete, Compilation	Expect to offer
PX2024_025		Peter Heeckt FaceBook	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2024_026		Birmingham Hip Resurfacing System 132 Month Interim Post-Approval Study Status Report		Expect to offer
PX2024_027		Letter to US FDA from Smith & Nephew dated June 3, 2015	Yes; Incomplete	Expect to offer
PX2024_028		Email String BHR_MDL_1247640-1247642		Expect to offer
PX2024_029		Presentation, BHR Clinical Evidence Blair Fraser, Vice President Scientific Affairs		Expect to offer
PX2024_030		Letter to the US FDA from Andy Weymann dated May 8, 2012		Expect to offer
PX2024_031		Request 858-Smith & Nephew Primary Total Resurfacing Hip Replacement		Expect to offer
PX2025		Deposition of Peter Heeckt		Expect to offer
PX2025_001		Declaration of Peter Heeckt, M.D., Ph.D. dated 8-26-20		Expect to offer
PX2025_002		ii4sm interview notes		Expect to offer
PX2025_004		Letter dated 6-3-15	Yes; Not Produced (Missing Bates)	Expect to offer
PX2025_005		E-mail dated 11-15-07, with attachment		Expect to offer
PX2025_006		E-mail string dated 11-19-10, 1-6-11 and 1-26-11	Yes; Incomplete	Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2025_007		Email string dated 11-29-10		Expect to offer
PX2025_008		E-mail string dated 11-15-12, Bates stamped SN_BHR_MDL_1080580 through SN_BHR_MDL_1080584		Expect to offer
PX2025_009		E-mail string dated 3-8-12 and 3-9-12		Expect to offer
PX2025_010		E-mail dated 11-19-10 with attachment	Yes; Annotations	Expect to offer
PX2025_011		E-mail dated 2-1-11 with attachment		Expect to offer
PX2025_012		2012 E-mail string, various dates	Yes; Incomplete	Expect to offer
PX2025_013		Email string dated 3-12-12 and 3-22-12 with attachment, Bates stamped SN_BHR_MDL_0789282 through SN_BHR_MDL_0789287		Expect to offer
PX2025_014		E-mail string dated 11-14-11		Expect to offer
PX2025_015		E-mail dated 3-16-12, with attachment		Expect to offer
PX2025_017		E-mail string dated 3-9-10		Expect to offer
PX2025_018		E-mail with attached PowerPoint presentation		Expect to offer
PX2025_020		email string dated 2-2-12 and 2-3-12		Expect to offer
PX2026		Deposition of Michael Mont		Expect to offer
PX2026_002		Michael A. Mont's Report		Expect to offer
PX2026_002B		Copy of Michael A. Mont's Report signed and dated		Expect to offer
PX2026_003		Michael A. Mont's CV		Expect to offer
PX2026_004		Exhibit B "...In addition to the materials referenced"		Expect to offer
PX2026_005		Guidance on Medical Device Patient Labeling; Final Guidance for Industry and FDA Reviewers	Yes; Not Produced (Missing Bates)	Expect to offer
PX2026_006		Femoral Head Resurfacing: Appropriate Patient Selection article		Expect to offer
PX2026_007		The Orthopaedic Forum - Graduated Introduction of Orthopaedic Implants: Encouraging Innovation and Minimizing Harm		Expect to offer
PX2026_008		Hip Osteoarthritis: A Primer		Expect to offer
PX2026_009		Hip Resurfacing: Patient and Treatment Options		Expect to offer
PX2026_010		Is there a New Learning Curve with Transition to a New Resurfacing System		Expect to offer
PX2026_011		Narrowed Indications Improve Outcomes for Hip Resurfacing Arthroplasty		Expect to offer
PX2026_012		The future role of metal-on-metal hip resurfacing		Expect to offer
PX2026_013		Review Article The Hip Society		Expect to offer
PX2026_014		Specialty Update: What's New in Total Hip Arthroplasty		Expect to offer
PX2026_015		Department of Health and Human Services Food and Drug Administration Medical Devices Advisory Committee Orthopaedic and Rehabilitation Panel	Yes; Incomplete; Not Produced (Website), Annotations	Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2026_017		Document titled: General Information	Yes; Not Produced	Expect to offer
PX2026_018		Statement regarding BHR System dated 4 June 2015	Yes; Not Produced (Website)	Expect to offer
PX2026_022		Birmingham Hip Australian Registry Analysis		Expect to offer
PX2026_028		Email exchange from Peter Heeckt to Carolyn Shelton		Expect to offer
PX2026_036		Email exchange from Smith Terrance to Band Tim	Yes; Incomplete	Expect to offer
PX2026_038		Statistical Analysis Report Client: Smith & Nephew Orthopaedics Limited		Expect to offer
PX2026_039		Clinical Health Hazard Evaluation Form		Expect to offer
PX2026_040		Statistical Analysis Report Client:Smith & Nephew, Ltd.	Yes; Not Produced (Missing Bates)	Expect to offer
PX2026_043		Birmingham Hip Resurfacing Foreign Confidential Personal Data		Expect to offer
PX2026_048		Document SN_EXP_Mont_MDL_0000038		Expect to offer
PX2026_049		Additional Exhibit B		Expect to offer
PX2026_050		What is a Serious Adverse Event?	Yes; Not Produced (Website)	Expect to offer
PX2026_051		June 3, 2015 letter RE: Voluntary Removal	Yes; Incomplete, Not Produced	Expect to offer
PX2026_052		Birmingham Resurfacing System Surgical Techniques		Expect to offer
PX2026_054		Email exchange from Dave Telling to Aubrey Bill		Expect to offer
PX2026_060		Objections and Responses to Plaintiff's second Amended Notice		Expect to offer
PX2027		Deposition of Gino Rouss		Expect to offer
PX2027_001		Dr Charalambos Revelas email to Tim Band re: Under 65 Sep 09 Results		Expect to offer
PX2027_002		October 2009 Australian Registry Analysis		Expect to offer
PX2027_003		2010 BHR annual Report		Expect to offer
PX2027_004		P Heeckt email		Expect to offer
PX2027_005		L sprinkle email		Expect to offer
PX2027_006		annual Report		Expect to offer
PX2027_007		R Walter email (chain)	Yes; Incomplete	Expect to offer
PX2027_008		G Rouss email (Chain)	Yes; Incomplete	Expect to offer
PX2027_009		G Rouss email (Chain)		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2027_010		J Soto email	Yes; Incomplete	Expect to offer
PX2027_011		T Band email		Expect to offer
PX2027_012		Annual Report	Yes; Incomplete	Expect to offer
PX2027_013		annual Report		Expect to offer
PX2027_014		D Telling email		Expect to offer
PX2027_015		J Jones email	Yes; Incomplete	Expect to offer
PX2028		Depositon of Dave Telling 1/15/2020		Expect to offer
PX2028_001		E-mail chain SN_BHR_MDL_2092550 through SN_BHR_MDL_2092550		Expect to offer
PX2028_002		PMA approval letter	Yes; Not Produced (Missing Bates)	Expect to offer
PX2028_003		E-mail attaching Australian Registry data 10/16/2009		Expect to offer
PX2028_004		E-mail attaching Australian Registry data 11/19/2010		Expect to offer
PX2028_005		E-mail chain 1/26/2011	Yes; Incomplete	Expect to offer
PX2028_006		E-mail chain 6/9/2010	Yes; Incomplete	Expect to offer
PX2028_007		E-mail chain 12/9/2010		Expect to offer
PX2028_008		Letter to FDA	Yes; Incomplete	Expect to offer
PX2028_009		E-mail chain 11/5/2011		Expect to offer
PX2028_010		E-mail chain 1/31/2012	Yes; Incomplete	Expect to offer
PX2028_011		Clinical Health Hazard Evaluation Form		Expect to offer
PX2028_012		E-mail and presentation		Expect to offer
PX2028_013		E-mail from Carolyn Shelton RE: BHR MoM warning		Expect to offer
PX2028_014		E-mail attaching audit		Expect to offer
PX2028_015		E-mail attaching Warwick Audit		Expect to offer
PX2028_016		CAPA Summary		Expect to offer
PX2028_017		ii4sm Report		Expect to offer
PX2028_018		FDA EIR letter		Expect to offer
PX2029		Deposition of Mark Waugh		Expect to offer
PX2029_001		PowerPoint titled "How to sell the BHR: Clinical Results, Competitive Targeting;"		Expect to offer
PX2029_002		One-page document referred to as a "Dear Doctor" letter;	Yes; Incomplete	Expect to offer
PX2029_003		PowerPoint presentation titled "2010 BHR Marketing Plan - There is only one BHR!"		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2029_004		Document titled "What does your hip patient want to get back to?"		Expect to offer
PX2029_005		One-page document titled "Dropping the competition; 10+ years and still climbing strong."		Expect to offer
PX2029_006		email string dated Thursday, August 7, 2008 from Eric Hay to Shea Brown;		Expect to offer
PX2029_007		Document titled "The ten-year survival of the Birmingham hip resurfacing."		Expect to offer
PX2029_008		Email string dated Wednesday, March 20, 2013 from Peter Brooks to Pat Walter;		Expect to offer
PX2029_009		Email string dated Friday, June 13, 2008 from Mark Waugh to William Connelly, et al;		Expect to offer
PX2029_010		Document titled "Birmingham Hip Resurfacing System; Update and Growth Acceleration Plan."		Expect to offer
PX2029_011		Email string		Expect to offer
PX2029_012		Email from Craig J. Della Valle, MD to Mark Waugh dated September 21, 2007; no Bates number	Yes; Not Produced (Missing Bates)	Expect to offer
PX2029_013		Email string		Expect to offer
PX2029_014		Email from Mark Waugh to Tim Bourne, et al		Expect to offer
PX2029_015		Document titled "ii4sm."		Expect to offer
PX2029_016		100-page document titled "Medical Device Reporting and Safety Requirement Analysis and Global Diagnostic."		Expect to offer
PX2029_017		Email string	Yes; Annotations	Expect to offer
PX2030		Deposition of Tim Band		Expect to offer
PX2030_001		July 19th, 2011 Email		Expect to offer
PX2030_002		March 31, 2014 Email	Yes; Incomplete	Expect to offer
PX2030_003		October 12, 2011 Email		Expect to offer
PX2030_004		March 12, 2012 Email		Expect to offer
PX2030_005		January 16, 2006 Email Bates No. SN_BHR_MDL_0185327 Email, Bates No. 1216489		Expect to offer
PX2030_007		R-3 Metal Liners Phase-out PowerPoint		Expect to offer
PX2030_008		August 24, 2007 Email		Expect to offer
PX2030_010		June 27-28, 2012 Public Meeting Presentation		Expect to offer
PX2030_011		March 8th, 2012 MoM R3 Metal Liners and BH Modular Heads		Expect to offer
PX2030_012		2012 Email/BHR Project PowerPoint		Expect to offer
PX2030_013		August 31, 2011 Medical Device Reporting and Safety Requirements Analysis and Global Diagnostic		Expect to offer
PX2030_014		August 31, 2011 II4SM Smith & Nephew Medical Device Safety Project PowerPoint		Expect to offer
PX2030_015		II4SM Memos		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2031		Deposition of Dave Telling		Expect to offer
PX2031_001		email from Rachel Parkin to Dave Telling re: FDA Audit at SNOL		Expect to offer
PX2031_002		Email from Mark Waugh to Andrew Holman re: Questions ahead of QBR meetings		Expect to offer
PX2031_003		Email from Dave Telling to Andy Weymann re: NJRR Data Request 858		Expect to offer
PX2031_004		Email from Joseph Devivo to John Soto re: Ronan Treacy		Expect to offer
PX2031_005		Email from Dave Telling to Bill Aubrey re: BHR Ad hoc data request AJJR		Expect to offer
PX2031_006		Email from Peter Heeckt to Thomas Finnerty re: Follow up		Expect to offer
PX2031_007		Email from Dave Telling to Rafia Perveen-Butt re: Color Chartstiks for BHR		Expect to offer
PX2031_008		Email from Russell Darley to Derek Johnston re: BHR Color Chartstick Labels		Expect to offer
PX2032		Deposition of Blair Fraser		Expect to offer
PX2032_001		Notice of Deposition		Expect to offer
PX2032_002		Letter to Jasper Ward from David O'Quinn dated October 2, 2018		Expect to offer
PX2032_003		Notes/Timeline		Expect to offer
PX2032_004		Smith & Nephew, Inc. Clinical Health Hazard Evaluation Form		Expect to offer
PX2032_005		Class 2 Device Recall S&N BHR Femoral Head	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2032_006		PMA Approval Letter		Expect to offer
PX2032_007		Apples to Oranges Document	Yes; Not Produced (Missing Bates)	Expect to offer
PX2032_008		Urgent Medical Device Market Removal letter dated June 3, 2015		Expect to offer
PX2032_009		Statement regarding BHR System dated 4 June 2015	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2033		Deposition of Mark Waugh		Expect to offer
PX2033_001		Birmingham Hip Resurfacing 2008 Marketing Planning		Expect to offer
PX2033_002		Email from Mark Waugh to Andrew Holmann re: Questions ahead of QBR Meetings		Expect to offer
PX2033_003		Email from Terrance Smith to Mark Waugh re: Mom THA		Expect to offer
PX2033_004		Email from Jason Jones to Joseph Devivo re: BH Mod Head 510k Retro Clinical Study Update- Meeting Minutes		Expect to offer
PX2033_005		Email from Jordan Slyvester to Scott Smith re: R3 Off-label Promotion		Expect to offer
PX2033_006		Email from Joseph Devivo to John Soto re: Ronan Treacy		Expect to offer
PX2034		Deposition of Tom Troup		Expect to offer
PX2034_001		E-mail chain, first e-mail from Tom Troup dated 5/20/10		Expect to offer
PX2034_002		Letter to "BHR Surgeon" from Tom Troup, Tim Bourne, Blair Deweese, and Sean Cranston	Yes; Not Produced (Missing Bates)	Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2034_003		Smith & Nephew corporate press release, "New data reinforces the proven safety and effectiveness of the Birmingham hip resurfacing system."	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2034_004		Email chain, first email from Pilar Mena		Expect to offer
PX2034_005		Email from Tom Troup		Expect to offer
PX2034_006		Email chain, first email from Greg Adams		Expect to offer
PX2034_007		"Birmingham Hip Resurfacing (BHR) System Important Medical Information, Warnings and Precautions"		Expect to offer
PX2035		Deposition of Branko Kopjar		Expect to offer
PX2035_001		Report prepared by Dr. Kopjar		Expect to offer
PX2035_002		Report by Dr. Kopjar	Yes; Not Produced (Missing Bates)	Expect to offer
PX2035_003		report from Dr. Kopjar	Yes; Not Produced (Missing Bates)	Expect to offer
PX2035_004		Email from Kopjar to Weymann		Expect to offer
PX2035_005		unpublished BHR/BHR Total conventional Hip Repair		Expect to offer
PX2035_006		Email from Weymann to Kopjar		Expect to offer
PX2035_007		Email from Kopjar to Weyman regarding New Nice Compliance		Expect to offer
PX2035_008		Email string regarding NUREW data		Expect to offer
PX2035_009		Email string regarding BHR Annual Report		Expect to offer
PX2036		Deposition of Dr. Michael Dayton		Expect to offer
PX2036_001		NOD of Michael Dayton, MD		Expect to offer
PX2036_002		Encounter Note		Expect to offer
PX2036_003		Birmingham Hip Resurfacing (BHR) System, Important Medical Information	Yes; Not Produced (Missing Bates)	Expect to offer
PX2036_004		Encounter Note		Expect to offer
PX2036_005		Operative Report		Expect to offer
PX2036_006		Carpenter Medical Records		Expect to offer
PX2036_007		Encounter notes		Expect to offer
PX2036_008		University of Colorado Hospital, Consent to Medical Procedure (surgery, Diagnostic, Therapeutic, Blood, sedation)		Expect to offer
PX2036_009		Operative Report		Expect to offer
PX2036_010		Encounter Notes		Expect to offer
PX2036_011		Analysis of Hip Function		Expect to offer
PX2036_012		MRI		Expect to offer
PX2036_013		Operative Report, Right Hip Replacement		Expect to offer
PX2036_014		Operative Note, Left Hip Replacement		Expect to offer
PX2036_015		Encounter Notes		Expect to offer
PX2036_016		Request 408, Primary Total Hip Replacement in Patients <65 Years of Age		Expect to offer
PX2036_017		Confidential Email chain between Damon Mogridge, Tim Band, and Dr. Charalambos Revelas, Subject: AJR Data		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2036_018		CV of Michael Dayton, MD		Expect to offer
PX2037		Deposition of Craig Della Valle, MD		Expect to offer
PX2037_001		Training Seminar		Expect to offer
PX2037_002		Master's Course Agenda		Expect to offer
PX2037_003		BHR Registry Data		Expect to offer
PX2037_004		Operative Report Marla Hand		Expect to offer
PX2037_005		Revision Operative Note Marla Hand		Expect to offer
PX2037_006		Lab Values Marla Hand		Expect to offer
PX2037_007		Memo: Revision File	Yes; Incomplete	Expect to offer
PX2037_008		Brochure	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2037_009		Complaint Details Report	Yes; Incomplete	Expect to offer
PX2037_010		Dear Doctor Letter	Yes; Incomplete (Draft)	Expect to offer
PX2037_011		Joint Replacement Registry	Yes; Incomplete, Not Produced (Missing Bates), Compilation	Expect to offer
PX2037_012		Medical Records Marla Hand		Expect to offer
PX2037_013		Medical Records- Marla Hand		Expect to offer
PX2038		Deposition of Jack Bowling		Expect to offer
PX2038_001		Smith & Nephew Presentation		Expect to offer
PX2038_002		Smith & Nephew Marketing Piece		Expect to offer
PX2038_003		Birmingham Hip Resurfacing system patient guide	Yes; Not Produced (Missing Bates), Annotations	Expect to offer
PX2038_004		Defendant's Fact Sheet for BHR Track Cases		Expect to offer
PX2038_005a		Form Letter, Bates number 76422		Expect to offer
PX2038_005b		10/8/2008 email chain		Expect to offer
PX2038_006a		form letter, Bates number 76710		Expect to offer
PX2038_006b		May 1st, 2009 Dear Doctor Letter		Expect to offer
PX2038_006c		Request 408 of 9/30/3009		Expect to offer
PX2038_007a		6/3/2010 Smith & Nephew document, bates number 76708		Expect to offer
PX2038_007b		email chain		Expect to offer
PX2038_007c		11/19/2010 Email with attachment		Expect to offer
PX2038_008a		3/29/2011 Dear Doctor Letter		Expect to offer
PX2038_008b		2011 Australian Registry Annual Report Resurfacing Section	Yes; Incomplete, Not Produced (Missing Bates); Compilation	Expect to offer
PX2038_008c		4/15/2011 Pynsent to Telling and Band		Expect to offer
PX2038_008d		4/29/2011 Bowling medical record to Paula Redick		Expect to offer
PX2038_009a		3/9/2012 Dear Doctor Letter re: British Medical journal story		Expect to offer
PX2038_009b		1/31/2012 John Soto email chain		Expect to offer
PX2038_009c		Request 858		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX2038_009d		3/20/2012 Operative report		Expect to offer
PX2038_010		Redick Medical records		Expect to offer
PX2038_011		2/3/2020 Ward letter to Kim Moore		Expect to offer
PX2038_012		October 2010 Smith & Nephew Label		Expect to offer
PX2038_013		Pages from Paula Redick Deposition	Yes; Incomplete, Compilation, Annotations	Expect to offer
PX2039		Deposition of Dave Telling		Expect to offer
PX2039_001		Email chain		Expect to offer
PX2039_002		PMA Approval Letter	Yes; Not Produced (Missing Bates)	Expect to offer
PX2039_003		Email attaching Australian Registry Data		Expect to offer
PX2039_004		Email attaching Australian Registry Data		Expect to offer
PX2039_005		Email chain		Expect to offer
PX2039_006		Email chain	Yes; Incomplete	Expect to offer
PX2039_007		Email chain		Expect to offer
PX2039_008		Letter to FDA	Yes; Incomplete (Draft)	Expect to offer
PX2039_009		E-mail chain 11/5/2011		Expect to offer
PX2039_010		E-mail chain 1/31/2012	Yes; Incomplete	Expect to offer
PX2039_011		Clinical Health Hazard Evaluation Form		Expect to offer
PX2039_012		E-mail and presentation		Expect to offer
PX2039_013		E-mail from Carolyn Shelton RE: BHR MoM warning		Expect to offer
PX2039_014		E-mail attaching audit		Expect to offer
PX2039_015		E-mail attaching Warwick Audit		Expect to offer
PX2039_016		CAPA Summary		Expect to offer
PX2039_017		ii4sm Report		Expect to offer
PX2039_018		FDA EIR letter		Expect to offer
PX2040		Deposition of Blair Deweese		Expect to offer
PX2040_001		LinkedIn Printout	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX2040_002		Agenda for a BHR Training Course		Expect to offer
PX2040_003		E-Mail Chain		Expect to offer
PX2040_004		E-Mail from Mark Waugh		Expect to offer
PX2040_005		E-Mail Chain From Blair DeWeese to Dr. Anderson		Expect to offer
PX2040_006		E-Mail from Mark Waugh	Yes; Not Produced (Missing Bates, Website), Compilation	Expect to offer
PX2040_007		E-Mail from Karen Veasey		Expect to offer
PX2040_008		E-Mail from Pat Makris		Expect to offer
PX2040_009		E-Mail Chain with Subject BHR and VS		Expect to offer
PX2040_010		Letter from Sean Cranston, Tim Bourne, and Tom Troup		Expect to offer
PX2040_011		2009 BHR US Marketing Trends and Plan		Expect to offer
PX5001		2007 S&N Marketing		Expect to offer
PX5002		2008 SN Makes Fun of Fat People and Surgeons P.16 and 17		Expect to offer
PX5003		2008 Brochure		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX5004		2009 Brochure		Expect to offer
PX5005		Marketing PowerPoint- The Future of Resurfacing; Biz Strategy- Differentiate MOM		Expect to offer
PX5006		BHR Brochure continued		Expect to offer
PX5007		BHR Brochure		Expect to offer
PX5008		2010 BHR Marketing Plan		Expect to offer
PX5009		S&N Sales Pitch Marketing Documents		Expect to offer
PX5010		Take the Gloves Off Marketing Campaign	Yes; Compilation	Expect to offer
PX5011		Marketing to Consumers, "Re: Driving Patients to Reconsider BHR"		Expect to offer
PX5012		BHR: A Patient's Guide	Yes; Not Produced (Missing Bates)	Expect to offer
PX9000		Deposition of Phyllis Mosca		Expect to offer
PX9000_001		Notice of Deposition; Mosca Depo Exhibit 1		Expect to offer
PX9000_002		Plaintiff Fact sheet responses; Mosca Depo Exhibit 2		Expect to offer
PX9000_003		Operative Note, Mosca Depo Exhibit 3		Expect to offer
PX9000_004		Informed Consent, Mosca Depo Exhibit 4		Expect to offer
PX9000_005		Dr. Boucher's orthopedic clinic note; Mosca Depo Exhibit 5		Expect to offer
PX9000_006		February 28, 2017 medical record; Mosca Depo Exhibit 6		Expect to offer
PX9000_007		December 29, 2011 Bay West Endocrinology Associates; Mosca Depo Exhibit 7		Expect to offer
PX9000_008		Facebook page; Mosca Depo Exhibit 8	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX9000_009		Facebook post; Mosca Depo Exhibit 9	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX9000_010		Facebook post; Mosca Depo Exhibit 10	Yes; Not Produced (Missing Bates, Website)	Expect to offer
PX9000_011		Labcorp Patient Record; Mosca depo Exhibit 11		Expect to offer
PX9000_012		April 17, 2013 medical record; Mosca Depo Exhibit 12		Expect to offer
PX9000_013		June 5, 2013 medical record; Mosca Depo Exhibit 13		Expect to offer
PX9001		Deposition of Vito Mosca		Expect to offer
PX9001_001		Ulla Popken Termination Letter; Exhibit 1 to Vito Mosca Depo		Expect to offer
PX9002		Sixth Amended Plaintiff Fact Sheet		Expect to offer
PX9003		Fifth Amended Defendant Fact Sheet		Expect to offer
PX9004		Insight Counseling and Consulting		Expect to offer
PX9005		Medstar Health		Expect to offer
PX9006		Stacy Stearns Therapy Notes		Expect to offer
PX9007		MedStar Missing Records		Expect to offer
PX9008		Advanced Radiology		Expect to offer
PX9009		Medstar Health Orthopedics Full Records		Expect to offer
PX9010		Walgreens Insurance Records		Expect to offer
PX9011		CVS Pharmacy Records		Expect to offer
PX9012		Enterprise RX Pharmacy Records		Expect to offer
PX9013		Bay West Endocrinology		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX9014		Shoprite Pharmacy Records		Expect to offer
PX9015		Ideal Endocrinology		Expect to offer
PX9016		Karing Actions Bring Solutions client summary		Expect to offer
PX9017		Ideal Endocrinology Billing		Expect to offer
PX9018		Medstar Orthopedic Notes		Expect to offer
PX9019		Medstar Orthopedics Med Recs		Expect to offer
PX9020		Electronic Medical Interpretation- Thermography		Expect to offer
PX9021		GBMC Records		Expect to offer
PX9022		Bay West Endocrinology		Expect to offer
PX9023		Fifth Amended Plaintiff Fact Sheet	Yes; Incomplete	Expect to offer
PX9024		GBMC- Dr Mary Craig Buckholtz		Expect to offer
PX9025		Dr Corina Fratila		Expect to offer
PX9026		Dr Lynn Yurkofsky Podiatric Exam and Treatment Report		Expect to offer
PX9027		MedStar Orthopedics Billing Records		Expect to offer
PX9028		Shoprite Pharmacy Records		Expect to offer
PX9029		Fourth Amended Defendant Fact Sheet		Expect to offer
PX9030		Upper Chesapeake Cardiology Associates		Expect to offer
PX9031		Third Amended Defendant Fact Sheet		Expect to offer
PX9032		Dr. Richard Levine Billing Records		Expect to offer
PX9033		Dr. Adriene Cometa Medical Records		Expect to offer
PX9034		Medstar Ortho Dr. Levine Records		Expect to offer
PX9035		Advanced Radiology Billing Records		Expect to offer
PX9036		Labcorp Records		Expect to offer
PX9037		GBMC Billing Records		Expect to offer
PX9038		GBMC Medical Records		Expect to offer
PX9039		Medical Health Group Records		Expect to offer
PX9040		Patient First Medical Records		Expect to offer
PX9041		Enterprise RX Pharmacy Records		Expect to offer
PX9042		Second Amended Defendant Fact Sheet		Expect to offer
PX9043		LabCorp Billing Records		Expect to offer
PX9044		Dr. Endrika Hinton Billing Records		Expect to offer
PX9045		Dr. Benjamin Bernstein Dermatology Medical Records		Expect to offer
PX9046		Dr. Bernstein Dermatology Billing Records		Expect to offer
PX9047		Optum RX Pharmacy Records		Expect to offer
PX9048		Enterprise RX Pharmacy Records		Expect to offer
PX9049		Dr. Boucher Office Notes		Expect to offer
PX9050		GBMC Records		Expect to offer
PX9051		Labcorp Records		Expect to offer
PX9052		Bay Counseling Services		Expect to offer
PX9053		Dr. Khouzami Billing Records		Expect to offer

PX Number	Admitted	Title (description)	Authenticity Objections	Using at Trial?
PX9054		Endoscopic Microsurgery Associates, PA		Expect to offer
PX9055		Medstar Orthopedic (Additional Med)		Expect to offer
PX9056		Advanced Radiology		Expect to offer
PX9057		GBMC Endrika Hinton Med Recs		Expect to offer
PX9058		Bernstein and Robinson		Expect to offer
PX9059		GBMC UroGynecology		Expect to offer
PX9060		Medstar Orthopedics Dr. Levine		Expect to offer
PX9061		Medstar Union Memorial Hopsital Medical Records		Expect to offer
PX9062		Agape Physical Thrapy Medical Records		Expect to offer
PX9063		Medstar Orthopedics Dr. Levine office/clinic notes		Expect to offer
PX9064		Bay West Endocrinology		Expect to offer
PX9065		MedStar Orthopedics Institute		Expect to offer
PX9066		Jarrettsville Family Care Medical Records		Expect to offer
PX9067		Medstar Billing Records		Expect to offer
PX9068		Medstar Health Billing Records		Expect to offer
PX9069		Agape Physical Therapy Billing Records		Expect to offer
PX9070		Fourth Amended Plaintiff Fact Sheet		Expect to offer
PX9071		Patient First Medical Records		Expect to offer
PX9072		Ideal Endocrinology billing		Expect to offer
PX9073		Dr. Terry Pritt		Expect to offer
PX9074		Medstar Union Memorial Hopsital Medical Records		Expect to offer
PX9075		Endrika Hinton Medical Records		Expect to offer
PX9076		Dr. Boucher Records		Expect to offer
PX9077		Dr. Philip Halstead		Expect to offer
PX9078		Agape Physical Therapy Records		Expect to offer
PX9079		First Amended Defendant Fact Sheet		Expect to offer
PX9080		Labcorp Records		Expect to offer
PX9081		Enterprise RX Pharmacy Records		Expect to offer
PX9082		Advanced Radiology		Expect to offer
PX9083		Third Amended Plaintiff Fact Sheet		Expect to offer
PX9084		Second Amended Plaintiff Fact Sheet		Expect to offer
PX9085		First Amended Plaintiff Fact Sheet		Expect to offer
PX9086		Plaintiff Fact Sheet		Expect to offer